

**POLITICAL PRINCIPLES OF ŚUKRANĪTI AND  
EXECUTION IN CONTEMPORARY INDIAN POLITY**

*Thesis submitted to Jawaharlal Nehru University in partial fulfillment of  
the requirements for the award of the degree of*

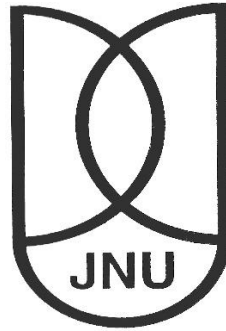
**DOCTOR OF PHILOSOPHY**

Submitted by

**SATRUDRA PRAKASH**

Under the Supervision of

**DR. HARI RAM MISHRA**

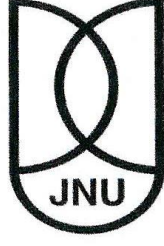


**SCHOOL OF SANSKRIT AND INDIC STUDIES**

**JAWAHARLAL NEHRU UNIVERSITY**

**NEW DELHI – 110067 INDIA**

**2019**



संस्कृत एवं प्राच्यविद्या अध्ययन संस्थान  
SCHOOL OF SANSKRIT AND INDIC STUDIES

जवाहरलाल नेहरू विश्वविद्यालय  
JAWAHARLAL NEHRU UNIVERSITY

नई दिल्ली-११००६७, भारत  
NEW DELHI - 110067, INDIA

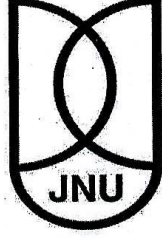
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July 19, 2019

**DECLARATION**

I declare that the thesis entitled, “**Political Principles of Śukranīti and Execution in Contemporary Indian Polity**” submitted by me for the award of degree of **Doctor of Philosophy** is an original research work and has not been previously published or submitted for any other degree in this University or any other University/Institution.

**SATRUDRA PRAKASH**



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NEW DELHI – 110067, INDIA

July 19, 2019

**CERTIFICATE**


The Thesis entitled, “Political Principles of Śukranīti and Execution in Contemporary Indian Polity” submitted by Satrudra Prakash for the award of degree of Doctor of Philosophy to School of Sanskrit and Indic Studies, Jawaharlal Nehru University, New Delhi-67, is an original research work and has not been submitted so far, in part or full, for any other degree/diploma in any University/Institution.

This may be placed before the examiners for evaluation and for the award of the degree of DOCTOR OF PHILOSOPHY.

  
**Dr. Hari Ram Mishra**

Supervisor

  
**Dr. Hari Ram Mishra**  
Assistant Professor  
School of Sanskrit and Indic Studies  
Jawaharlal Nehru University  
New Delhi-110067, INDIA

  
**Prof. Girish Nath Jha**

Dean  
  
School of Sanskrit & Indic Studies  
Jawaharlal Nehru University  
New Delhi-110067, INDIA

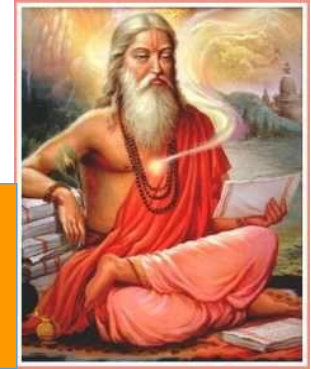
## **Dedicated to**



**First revolutionary, social reformer, political expert, rationalist, Dhamma & Sangha founder, first propagator of liberty, equality & fraternity...**

**LORD BUDDHA**

**Founder of Nītiśāstra, First Political Thinker of Sanskrit Tradition  
ŚUKRĀCĀRYA**



**Father of Modern Indian Polity and Constitution,  
Executor of Liberty, Equality & Fraternity  
DR. BHEEM RAO AMBEDKAR**



## Theme Sentences

अमन्त्र्यमक्षरं नास्ति नास्ति मूलमनौषधम्।  
अयोग्यः पुरुषो नास्ति योजकस्तत्र दुर्लभः॥

—शुक्रनीति, 2.126

*Every character contains a formula, every vegetative root has medicinal property, every human being has talent and ability but that man is rare who can utilize the qualities of these substances.*

स्त्रियाश्चापुरुषा मार्गं सर्वालङ्कारभूषिताः।  
निर्भयाः प्रतिपद्यन्ते यदि रक्षति भूमिपः॥

—महाभारत, 12.68.32

*If the ruler and government rule the nation by Law and secure the safety, the ornamented women can walk on the street intrepidity without taking extra protection from their family males. (Safety of women is first parameter of a secure state).*

ऐसा चाहूँ राज मैं, जहाँ मिले सबन को अन्न।  
छोटा बड़ा सब सम बसैं, हो रैदास प्रसन्न॥

—संत रैदास

*I assume a nation, where all people have proper livelihood and nobody will worry for hunger. There will not be any distinction like poor and rich, upper and lower. All will live equally with equal respect and dignity.*

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## Key to Transliteration

Sr. No.	Special Character	Transliteration	Sr. No.	Special Character	Transliteration
1.	अ	A	26.	ठ्	ṭh
2.	आ	Ā	27.	ड्	ḍ
3.	इ	I	28.	ढ्	ḍh
4.	ई	Ī	29.	ण्	ṇ
5.	उ	U	30.	त्	T
6.	ऊ	Ū	31.	थ्	Th
7.	ऋ	r	32.	द्	D
8.	ए	E	33.	ध्	Dh
9.	ऐ	Ai	34.	न्	N
10.	ओ	O	35.	प्	P
11.	औ	Au	36.	फ्	Ph
12.	अं	m̐	37.	ब्	b
13.	अः	ḥ	38.	भ्	bh
14.	ऽ	'	39.	म्	m
15.	क्	K	40.	य्	y
16.	ख्	Kh	41.	र्	R
17.	ग्	G	42.	ल्	L
18.	घ्	Gh	43.	व्	V
19.	ङ्	ṅ	44.	श्	Ś
20.	च्	C	45.	ष्	ṣ
21.	छ्	Ch	46.	स्	S
22.	ज्	J	47.	ह्	H
23.	झ्	Jh	48.	क्ष्	kṣ
24.	ञ्	Ñ	49.	त्र्	Tr
25.	ट्	ṭ	50.	ज्ञ्	Jñ

## ACKNOWLEDGEMENT

Śukranīti (2.1) says it is difficult to conduct even a little effort alone, then bearing the most significant responsibility like state and politics is impossible without help and consultation. The quoted sentence applies, also on this research work. There have many people, factors, and inspirations been contributed immensely in this research.

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**Satrudra Prakash**

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## INTRODUCTION

While working on M.Phil. Dissertation titled, “Role of Ethical Values in Modern Governance: in the Light of *Śukranīti* and *Kāmandakīya Nītisāra*,” it observed that the *Śukranīti* is full with invaluable political, social, economic, diplomatic, and rational principles. *Śukranīti* is the text, which did not get much attention in modern political studies. Scholars only quoted it as the political text and its first composer gets some referable attention only. However, the deep study and evaluation from the modern perspective revealed the unbelievable conceptions, theories, principles, treatments, and remedies, which are much relevant and those have the capacity to guide the modern India’s political system.

### **Scope and Objective of the work**

Indian current political system has the republic nature. The whole nation is following one constitution, government, and the objectives of the constitution are the aim of democracy. It is the largest and well-arranged constitution of this globe. Our objectives are clear, our path and intention is also humanitarian, inclusive and democratic. At another side, when the nation was suffering from British slavery under their colonial ruling, it was looking for new social, political, religious, spiritual possibilities. Something was missing from our past, which could show the path of great, independent and prosperous future. This vacuum provided the room for re-invention, re-formation of society, re-evaluation of traditional norms.

This thirst of knowledge and emancipation produced many scholars, social reformers, and intellectuals. Swami Vivekananda, Dayanand Saraswati, Mahatma Jyotiba Phule, Rajaram Mohan Ray, Rabindra Nath, Shri Aurobindo, and many other social reformers knocked the society of India with their new ideas. This revolution was the foundation of later freedom movement. It influenced mainstream scholars also. The alternatives of British ruling started searching by the scholars. A huge literary tradition came into existence after this debate. Intention was one and that was the searching the historic pride of nation, which can unite the whole nation and could include all the societies in the Freedom struggle.



Discovery of *Arthaśāstra* carried a revolutionary diversion in Sanskrit studies. Western scholars played major historic role in Sanskrit studies. They established many Indic studies centers in various parts of Europe and in India also. They re-created the study tradition in India and this effort helped during the freedom movement.

When we got the independence and started working on the shape of new India, Mr. M.K. Gandhi proposed to adopt the *Varṇa*-system in its oldest form. Swami Dayananda Saraswati also gave the slogan for re-adopting the Vedic culture. He was strong supporter of Vedic culture and created the text also named “*Satyārtha Prakāśa*” for establishing his ideas for “*Aryan Nation*.” This debate is still going on and many sects and communities often think about particular religion based nation. In fact, the biggest human-organization of Asia “Rashtriya Swayamsevak Sangh” (RSS) formulated for making the “*Hindū Rāṣṭra*.” It is still working and serving to the nation. There is an endless debate on this issue. Many scholars also imagine a nation with one religion, one civil code, one flag, one dress code, and other many ‘one.’

Evaluation of political aspect of Ancient India is the prime objective of this work. The work will try to find out, evaluate and analyze the political theories, principles and ideas of state, citizenship, shape of government, objectives of the government, and varieties of governing systems from the Vedic period to *Śukranīti*. Creating an evidence-based tradition of political debate regarding ancient and modern India’s polity is the secondary objective of this work. Many scholars glorified the past and many other scholars criticized it for some aspects. In 2019 A.D., the debate on “Hindu Nation” is taking new turn. Scholars, academicians and many governmental and non-governmental organizations/institutions are operating various seminars, debates and academic writings in this regard. This work will try to study collectively the major branches of Indian intellectual traditions and their socio-political aspects for finding some concrete bases of above mentioned conceptions and debates.

### **Hypothesis of the work**

The Constituent Assembly of India made the constitution and our nation is following it currently. Our constitution is doubtless very great, very practical, most strong and large at

the same time. Its objectives are cited in its Preamble. Two hundreds and ninety-six elected members of Constituent Assembly create the constitution of India in two years, eleven months and eighteen days. The constitution allows making some selective changes by the amendments as per requirement. Means there is no room for blaming the constitution, if some of its part would fail to cover its promise. The current Indian society is passing through the era of transition. Many problems arose in past few decades. The ideas of text-interpretation, sight of observation, social view and many changes have occurred. These changes carried many ground level problems also. These problems are not only affecting the society but also creating deep academic debates. It is a platitude that when the front way get disappeared by fog or flood, it is better to take next step by the experience of previous steps. This formula applies in every sphere of life. It is the time to find out the solution of current social and political disputes from the great and rich Indian tradition. The hypothesis of this work is based on this principle. Conception is that our tradition has solution of every problem, either that is no individual level or that has public interest.

### **Research Question of the work**

There are two type of questions regarding this work. First is related to academic and traditional perspective and second direct connects with the practical political ground. Tradition related question is that what is the tradition of *Nītiśāstra*? Is it has the separate identity apart from *Dharmaśāstra* and *Arthaśāstra*? If it is a separate branch of knowledge then how is it unique from others? Why the deep academic discussions ignored the glory of this tradition? What are the parameters, in which it differs from *Dharmaśāstra* and other disciplines?

Second phase of research questions are lying down on the canvas of applied form of politics. What are the relevant political principles of this text? How much they can give the solution of very practical problems? Contemporary Indian Polity has the unique and complete constitution, it has the systematic power institution like the legislature, executive and Judiciary, all the power transitioning tools working well. Our modern social, political,

economic problems are also advance and totally challenging. In these entire atmosphere; can our past has the capacity to show us the path in present for secured future?

### **Review of Literature**

It is remarkable that at the early scholarly time of western scholars, when they introduced with the India's great intellectual tradition, they started working on it. Many Indian and western scholars initiated to reveal the sacred texts of Sanskrit literature. *Śukranīti* snatched the attention of scholars by its interesting and most relevant ideas. Many scholars like Gustav Oppert, Lallanji Gopal, Vishwanath Prasad Verma, Benoy Kumar Sarkar etc. did the historic effort and revealed the *Śukranīti* with all its spheres. It was the time from post 19<sup>th</sup> century to 20<sup>th</sup> century where major sacred books got re-invented. These inventions made an intellectual revolution, not only in Sanskrit studies but also in various languages and traditions. Gustav Oppert first time published the *Śukranīti* from Government Press, Madras at 1882. He published it under the title "ŚUKRANĪTISĀRA." After this work, many scholars paid their attention on its political and war theories. Benoy Kumar Sarkar did the translation of *Śukranīti*, based on the work of Gustav and published its first edition from "The Panini Office, Allahabad" in 1914. Lallanji Gopal wrote an article titled, "The 'Śukranīti'—A Nineteenth-Century Text" and it published in "Bulletin of the school of Oriental and African Studies" from University of London in 1962. Prof. Beni Prasad submitted thesis titled, "Theory of Government in Ancient India" in 1925 and he separately analyzed the *Śukranīti*. His work got published from Allahabad with included part of *Śukranīti*. Vishwanath Prasad Verma wrote an article titled, "Some Aspects of Public Administration in the *Śukranīti*" and "The Indian Journal of Political Science" published in 1962. *Vandanā Nāgara* worked on the kingship of this text and published her work titled "Kingship in Śukra-Nīti" form Delhi in 1985. Many debates, chapter writing, seminar presentations took place on the topics related to *Śukranīti*. Dr. Jagdishchandra Mishra edited and translated *Śukranīti* in Hindi with Sanskrit commentary of *Jīvānanda Vidyāsāgara. Chaukhambā Surabhāratī*, Varanasi published this work and it is the source text of this research.

Above mentioned all works on *Śukranīti* are the milestone in the studies of *Śukranīti* and *Nītisāra*. Gostav's work has the historic dimensions. As, we see that almost the mainstream political science students and scholars worked on it but it is a harsh reality that Sanskrit Scholars often avoided this text. May be the leveling on the name of *Śukrācārya*, as the trendsetter of the demons created ignorant approach in the mind of mainstream Sanskrit scholarship. There are the few works, done on this text and all can be counted on the fingers of one hand only. However, all works are historic and they gave the re-birth to the great political text called the 'Śukranīti.' Apart from all these invaluable works, some room for a deep political discussion on the basis on past political tradition from the perspective of Modern point of view has still occurs. Sir Gustav provided first information and his work was based on its translation with some necessary interpretations. Benoy Kumar Sarkar also done the translation. Work of *Vandanā Nāgara* covered only the kingship of this text on and she taken the base from Sarkar's work. Almost of the works provided the first information of this text. The work will try analyzing the political principles of this text in the light of Major school of disciplines and it will try to see these scenarios from the lens of current polity.

### **Methodology**

First chapter will create the foundation for next two chapters. The methods will apply for proper description about the foundational principles of Ancient India's polity. The descriptive method will be used at larger scale in first chapter. Second chapter will carry three separate branches of knowledge but the discussion will mainly delimits under the political parameter. The ideas, mentalities, ways of interpretation, overall the intention of traditions will discussed in second chapter. This will try to put together all these traditions for compare. So the comparative method will take place with descriptive style. Third chapter is the core chapter of this work and it will widely describe the political principles of text in its complete form. The descriptive method will help to come out these principles. Last two chapters are important due to their applied and totally different discussion. Fourth chapter will describe, analyze and will raise the challenge before the work also. Therefore, the bunch

of many methodologies will take place in this chapter. Last chapter is final destination of whole discussion. The analyzed matters of first three chapters will meet with contemporary Indian polity in last chapter. Their level of implementation, limitations, style and sects of principles will face the challenges of current time. Most of the part of last chapter will follow the analytical method of research.

### **Chapterization of the work**

There will be five chapters of this research. **First Chapter** will create the foundation of polity. As per the historic and literary evidences, also by the style and ideology, the first chapter will include four basic literatures and will put their political principles. As the Sanskrit tradition believes its all origin from the Vedas, so Vedic perspective of polity will open the discussion of polity. Vedic political discussion will include the Vedas, *Brāhmaṇa* literature. The post-Vedic period is very important from the literary point of view. The first epic *Rāmāyaṇa* created in this period but *Mahābhārata* is the biggest epic of Sanskrit and it covers all the spheres of human life including polity. Its political discussion and theories has eternity and their relevance are equal in any form of government. Therefore, the political discussion of *Mahābhārata* will take more place than other political foundations. Fourth pillar of ancient Indi's polity is Buddhism. Any discussion related to Ancient India is just incomplete without this great religion and ideology. Buddha was first non-violent revolutionary of Human history. His teachings were on the formula shaped and very easy to understand because of their conversational nature.

**Second Chapter** carries three major political disciplines, *Dharmaśāstra*, *Arthaśāstra* and *Nītiśāstra*. All these are the core political schools of knowledge. *Arthaśāstra* has global reputation regarding Indian polity while the vast *Dharmaśāstra* tradition included polity as the supplement of the social behavior. Their strict social rules influenced the political discussion also. The *Nītiśāstra* comes at the end because of its compromising nature. This is pure political tradition, where the social debates and theories are secondary. It tried to establish balance between *Dharmaśāstra* and *Arthaśāstra* and chosen the middle path



between both traditions. The similarities and differences whatever will carry out after the discussion; it will be described at the end of the chapter.

**Third Chapter** deals with the political principles of *Śukranīti*. All the discussion about the text, author, and time, content take place in this chapter. The overall description about the political system, principles, and objectives of the text will be describe in third chapter.

**Fourth Chapter** will divert the way of discussion from ancient to modern Indian polity. It will have four major parts. A brief constitutional development will open the discussion. Second is the principles of contemporary Indian polity. This part will describe the differences and separative diversions, which separated the modern Indian polity from its Ancient form of polity and government. Third portion of fourth chapter will deal with the structure of modern polity. Fourth limb of fourth chapter will describe the practical condition of modern principles.

**Fifth Chapter** is the last debate between ancient Indian polity and modern Indian polity. All necessary components of both political schools have already discussed in four chapters. This chapter will analyze all findings and try to find out the solutions for new problems and questions, which have raised in this section.

The raw material for this research is the foundational sources of Sanskrit literature. This work only taken the direct sources by avoiding the commentaries. However, wherever it needed, these will get their respective place. Nature of this research is Politics and the parameters will followed by this point. The political provisions in any time or text are almost in the direct form of sentences and they don't need interpretations at everywhere. When any serious dispute occurs during the debate, commentary works here. The Vedas, *Rāmāyaṇ*, *Mahābhārata*, Buddhist cannons, *Sūtra* and *Smṛti* texts, *Arthaśāstra*, *Nītiśāstra* of *Śukrācārya* and many other representative texts will be included as per their requires.





**CHAPTER - 1**

**Foundation of Political Principles  
(Vedic, Epic and Buddhist Polity)**



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**1. Introduction**

Knowledge tradition of India is wealthy. It is an unbroken chain containing many disciplines. According to *Īśāvāsyopaniṣad*, there are two kinds of knowledge. First, *Vidyā* and second is *Avidyā*. *Vidyā* is about the understanding of the Supreme truth or path of Emancipation by whom; a human being can pass all the steps of this world and can achieve the supreme goal called *Brahma*. Second knowledge is about knowledge of *Karma*. It means the knowledge world, society, duty, and all affairs about life and all other knowledge systems exist within this discipline. The seer mentions that there is no any emancipation without using these both disciplines of knowledge but if a man uses these both with balanced and proper way, that man can surpass the death and can get the '*Amarattva*.'<sup>1</sup>

'Knowledge is stronger than memory' is a famous quote of great story writer Bram Stoker. This platitude has generated by a simple man, but it is a great and universal truth about knowledge. Memory only can bear the experience and pass it to others, but knowledge always exists in any form. This spirit of knowledge seems in entire Indian tradition from the prehistoric age to modern time.

**1.1 Concept and Definition of Political Principles**

Before starting the discussion about the origin, development, and tradition of Political Principles in India, the idea of political principles needs explanation. The canvas of politics in India is vast, and its depth is also very much at the same time. The applied and theoretical form of politics seems since its early time. When the Vedic culture was under the process of establishment in the Indian sub-continent, what was the way and concept of politics at that

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<sup>1</sup> . Vidyā cāvidyāṃ ca yastadvedobhayamaṣaha,  
 Avidyayā mṛityuṃ tīrtvā vidyayāmṛitamāśnute.

time and how the Vedic civilians adopted what system of politics; these questions became the base of the beginning of politics in India. So, let us discuss the concept and definition of Politics and Political Principles.

India has a great tradition of knowledge, culture, and creation since its existence. The cultural heritage of Indus valley civilization is the great symbol of our ultimate quality of constructional nature. The script and writing of that civilization are yet to recognize, but the archeological shreds of evidence are enough to show its beauty and aesthetics. The systematic lifestyle, well-structured formation of the cities, markets, houses, water supply system, well commercialize trade system, trade relation with other contemporary civilizations like Mesopotamia, Egypt, Greece, agricultural development and method of irrigation, cosmetics, sports, hunting, peaceful and weapon free culture of Indus valley is a symbol of Indian rich heritage.

Such kind of form of civilization as mentioned above was impossible without a well-structured governing body or authority. Though, authentic information about the political or governing system of Indus valley civilization yet to revealed but it is clear that something was existing as a robust governing system in that civilization. It was a rich and great civilization. It has all things, but at the same time, only because of our unawareness about their scripts, it is tough to make any judgement about their lifestyle, polity, governance, trade system, etc.

After that phase, a new era of culture seems after Indus-valley civilization. It is the Vedic culture. The establishing factors of Vedic culture were something different from Indus valley civilization. Vedic people were very aware of their brain's power; they were very cautious towards saving their experiences of life and surroundings. So, they kept all these things in a proper form and made it very first and well-formed base of knowledge. These chants, songs of earlier Vedic seers became the base of current Indian Knowledge and intellect. Though the people of early Vedic culture were unaware of the script, they developed a language in vocal form and started saving their experiences and lifestyle. The makers of these songs or

chants transferred this vocal form of knowledge to their next generation, and that generation passed it to their future posterity.

The genealogical transformation of knowledge made the chain of vocal tradition of learning. That is why; Veda known by their other name '*śruti*.' Vedic hymns are the primary source to know all about the Vedic people and culture. R.C. Majumdar said, "Their literacy works, known as the Vedas, gave us for the first time a comprehensive picture of the social and religious ideas as well as the political and economic condition of India."<sup>2</sup> Only because of an unbroken chain of Vedic knowledge, this culture is still surviving very strongly, and it is even torching the contemporary world by its great heritage of welfare of the universe. Vedic people were not only living, but they were very aware of saving their experiences of life. So, they converted their experiences into a proper form and passed it to their next generation. They praised everything which had the importance in their lives and for their survival. They appreciated not only supernatural powers, but also those firms and forms, which were created by themselves like their Economic system, their political system, and their cultural and ritual norms. They were very faithful towards their society, land, cattle, and natural property. In this tradition, they also created the political form for the proper functioning of their day to day life with all security and regularity. It became the base of the later polity of India. Polity is also a branch of knowledge whose origin in Indian land is from Vedic chants. The socio-political structure of Vedic society and nation become the base of later Indian polity.

Polity is not only an area of dealing government and state but also a prestigious school of knowledge. It is a significant discipline of education in the western tradition, where Aristotle said that 'Politics is the supreme science.' There are separate conceptions about polity and politics in Indian culture. The philosophical point of view always prefer the supreme knowledge, but those ideologist and thinkers are disagreeing with this stand, who are concerned towards the greatness of humanity by promoting human values, society, and state. They also respect the supreme knowledge tradition and praise for it at very first, but at the

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<sup>2</sup> . Ancient India by R.C. Majumdar, Ch. III, p. 20.

same time, they also carry other knowledge equally. This practical stand about the Polity seems in two great epics *Rāmāyaṇa* and *Mahābhārata*, in the text of *Kauṭilya* named *Arthaśāstra*.

*Śukranīti* is a significant work counted under the tradition of *Nītiśāstra*, but it may also be called a political text, where this school of knowledge flows in both, theory and applied form. The writer of *Śukranīti* gave this text a systematic and well-arranged shape that is dealing with Politics, Society, Religious harmony, Social harmony, structure of government, nature and philosophy of state, judiciary, army, warfare, foreign policy and power balance between two countries, duties and responsibilities of ruler and citizen and over all the Nation. It was the well-structured ‘Constitution of the monarchic system.’ *Śukranīti* is not only a text dedicated to politics but also dealing with the economy, agriculture, battle policy, and ethics, trade, society, social norms, and duties of all communities of the state. It has many political principles by which the problems of our contemporary political system would be solved, and the weakness of the system would be reformed.

## 1.2 Origin of Political Principles

This word ‘polity’ has many other definable synonyms in Sanskrit tradition. ‘*Rājanīti*’ is the most popular word taken from Sanskrit and it still used in modern time also. According to the famous Sanskrit Dictionary, ‘*Vācaspatyam*’ the word *rājanīti* means, the policy or king.<sup>3</sup> Implementation of policies, rules, and regulations in the state or objects through gazette or charter by following one of the four strategies of command among *sāma*, *dāna*, *daṇḍa*, and *bheda*. *Vācaspatyam* also gave an example of *Kāmandakīyanītiśāstra* as the representative text of ‘*Rājanīti*.’<sup>4</sup> In English, The word ‘Polity’ originated from a Greek word; ‘*Politeia*’ means ‘citizenship.’ That’s why; the word ‘Polity’ was explained as ‘A form of government’ or ‘society as a politically organized state.’<sup>5</sup>

<sup>3</sup> . Rajñām nītiḥ

-Vācaspatyam, Vol. 6, p. 4802

<sup>4</sup> . Rājajñeye sāmādyupāye, tatpratipādake śāstre ca

-Vācaspatyam, Vol. 6, p. 4802

<sup>5</sup> . Oxford Dictionary, p. 520

In Indian tradition, the applied form of politics seems in its actual form, but the theoretical strength seems in western theory. This fundamental difference seems from an early stage of civilization to the modern age. Ancient India's approach to politics, ethics, morality, literature, aesthetics, and other branches of knowledge was practical and applied. It never means they did not establish any definition or paradigm of theoretical point of view. Thinkers and Intellectuals of Indian tradition have deeply analyzed all aspects and made their theories and principles on the applied point of view.

K.P. Jayaswal and Beni Prasad used the word 'Hindu Polity' for Ancient India's Polity. Beni Prasad gave the reason for this use and said, "*In the present work, the term Hindu has been used in a generic sense, including not only followers of Brāhmaṇic but also Buddhists and Jains.*"<sup>6</sup> This concept of Hindu is legally accepted by I.P.C. and Cr.P.C. since British India and applied it in the Hindu Marriage Act, 1955. The 2<sup>nd</sup> Section of this act determines three points for being a Hindu. First, to any person who is a Hindu by religion in any of its forms and developments, including a *Vīraśaiva*, a *Liṃgāyata* or a follower of the Brahma, *Prārthanā* or *Ārya Samāj*. Second, to any person who is a Buddhist, Jain or Sikh by religion, and third to any other person domiciled in the territories to which this Act extends who is not a Muslim, Christian, Pārsi or Jew by religion.<sup>7</sup>

This concept was created in British India and accepted by Lawmakers for their suitability. But it may not be the perfect definition of Hindu. We observe the larger scale of contribution of Vedic, Buddhist and Jain Religions in Indian society and their separate influences on its culture and tradition; it is tough to trust on British concept of Hindu, followed by some scholars like Jayaswal and Prasad. In the Indian tradition of Knowledge and culture, Vedic and later Vedic Religion has its impact, and Buddhist tradition has its own identity. Their views about the Religion, Polity, lifestyle, dress and food culture, philosophical approaches, religious beliefs, social affairs were not only similar but also just opposite on some points.

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<sup>6</sup> . Theory of Government in Ancient India, p. 336

<sup>7</sup> . <http://koenraadest.bharatvani.org/books/wiah/ch3.htm#2> accessed on 08-Jan-17 2:31:55 PM

There are so many differences and contradictories, but the similarity in the goal of all Indian religions and cultures made these differences secondary. Regarding the study of Indian Polity and identifying the political principles invented and formulated by great Indian scholars, seers, and Social reformers; the nature and history of all branches of knowledge need separate evaluation.

This chapter will try to analyze and identify the Concept of Political Principles from its origin and development to proper formation in the later period. Vedic period, *Dharmaśāstra*, Epical the theory of Polity in *Mahābhārata*, the essence of Polity in *Arthaśāstra*, Polity in another branch of the knowledge like Buddhist theory of Polity, Nature and sub-branches of Polity and all other aspects and approach of ancient India's Polity will be discussed.

The concept of Polity in Indian tradition is much older than any other civilizations. The textual tradition of India postulates Veda as the source of all branches of knowledge. It is not only a belief but also a factual concept that Vedas are the pristine, persistent, perpetual, and perfect provenance of knowledge. The first impression of Indian Polity seems in Vedic tradition and hymns of Vedas. That was the early stage of civilization, and Aryans were trying to survive and were facing geographical, climate, war, and other problems. These difficulties made them more powerful and inventor. They started searching for solutions for their problems. Thus, difficulties of life and challenges for survival prompted them for an organized and knotty life with each other. Finally, these factors became a powerful reason for the manifestation of Polity.

Political principles of those people were based on nature's activity. Natural virtues observed by Vedic people became the base of their ideological actions. For example, they saw an orb of red fire daily rises from a horizon of the earth, and it sets on another sight. Both time it becomes red and finally brings light and day. When it sets, the dark comes and cover all the earth. In this regular circle, the Vedic seers envisioned that it is not happening by itself; there is some actuator who always motivates, moderate, and regulate this activity. The sun is not going from one to another horizon by itself; there is some motivational factor or supernatural power that always regulates its routine. Clear and the little blue sky suddenly full with



simmering starts at night, Black and White Mountains type something swims on the sky, and they bring the rain. Rain not only drops water but also generate the flash of sudden light with a heavy sound. After the rain, all ponds and blank spaces of earth full of water and the land becomes green. This natural activity provided early Vedic people to think about the motivational factors which were working behind these activities. They gave the name of early rising son's light *Uṣā*, the God of water addressed by them as *Varuṇa* the God of all vegetation and natural greenery became known as *Aśvinau* and other many Gods were created by the observation of natural activities. But it was not enough, because these Gods were performing their duties but who was the supreme actuator above all these Gods, this thinking was the main origin of all principles, derived by Vedic seers and thinkers. These supreme principles became the base of their political, social, economic, religious thinking, became base of formation of all kinds of thinking process and works. Vedic people were also lived in small clans at their very early time. But when they moved towards Indian sub-continent and made this land their residence, they started deriving several ideals also.

### 1.3 Concept of *Ṛta*

The word *Ṛta* derives from the main root '√Ṛ' (*used in the sense of motion gatyārthaka*) by adding the suffix 'kta'.<sup>8</sup> There are many aspects and meaning this word. It is used in almost every Vedic text. The usage of this word needs more analysis regarding the political principals of the early Vedic period.

The first seven chapters of *Ṛgveda* are dedicated to the prayers of Gods. But the word *Ṛta* is very considerable at this moment. It is not the name of any particular God, but it envisaged as a virtue, unique quality or we can say, an imagination of supreme power which was working as the main cause of all natural and supernatural happenings. It is explained and described in almost every *Maṇḍals* of *Ṛgveda*. Before we make any conception about this term, let us see its usages in *Ṛgveda*.

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<sup>8</sup> . Vaidika Kośa, Vol.1, p. 369

In the fourth *maṇḍala* of *Ṛgveda*, there are three hymns in 23<sup>rd</sup> *sūkta*. *Ṛta* is praised here as the supreme power. In the first hymns, the seer described *Ṛta* as the strongest power in the universe. The mind of *Ṛta* can destroy all sins of a man. The powerful and mindful voice of *Ṛta* can fill the ears of men.<sup>9</sup>

The second dedicated hymn about *Ṛta* is saying that people are expecting a lot of victuals from *Ṛta*, the power of *Ṛta* full body are very joyful and strong, and cows enter in the *Yajña* by the inspiration of *Ṛta*.<sup>10</sup>

The seer in the third prayer of *Ṛta* saying that the follower of *Ṛta* always prays only to *Ṛta*, horse, and cow receive the power from *Ṛta*. Vast earth and the profound sky is for *Ṛta*; the cows provide milk for *Ṛta*.<sup>11</sup> These three hymns are the perfect examples to understand the imagination of *Ṛta* by Vedic seers. It is indicating the supreme position of *Ṛta*. *Ṛta* was superior even to Vedic God *Indra*. *Ṛta* was the supreme natural quality existing within every creature of this universe. Every element of nature and all types of wealth were provided by this supreme power.

There is also another hymn about the *Ṛta*, where seer described that *Ṛta* is the source of all kind of energy and power. The fulgent sun stimulates by the *Ṛta* when it comes with its light. Sun spreads the highest part of *Ṛta* on the broad canvas of the earth. *Ṛta* is a supreme power which rules over the sun. *Ṛta* defeats the army of enemies, and it always protects its worshipers.<sup>12</sup>

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<sup>9</sup> . Ṛtasya hi śurudhaḥ santi pūrvīṛtasya dhītirvijanāni hanta.

Ṛtasya śloko badhirā tatarda karnāḥ budhānaḥ śucamāna āyoh –Ṛgveda, 4.23.8

<sup>10</sup> . Ṛtasya dṛḷahā dharuṇāni santi purūṇi candrā vapuṣe vapūṣi,

Ṛtena dīrghamiṣṇanta pṛkṣa ṛtena gāva ṛtamā viveśuḥ –Ṛgveda, 4.23.9

<sup>11</sup> . Ṛtaṃ yemāna ṛtamid vanorvyṛatasya śuṣmasturayā u gavyuḥ,

Ṛtāya pṛthivī bahule gabhīre ṛtāya dhenū parame duhāte –Ṛgveda, 4.23.10

<sup>12</sup> . Ṛtena devaḥ savitā śamāyata ṛtasya śrīṃṅgamurviyā vi papraye,

Ṛtaṃ sāsāha mahiṃ pṛtanyato mā no viyauṣṭaṃ sakhyāmumocatam –Ṛgveda, 8.86.5

*Ṛta* has other many aspects and meanings. Early Vedic civilization's people invented a unique style to praise their Gods and to provide them their gifts for their happiness. That great invention was the *Yajña* or the sacrifice of their invaluable things for their Gods. The word *Ṛta* had used for this *yajña* also. The seer in a hymn is praising to the God *Indra* for their protection from the bad people. The seer also praising that those evil people let not know our secrets through our inner weakness. God *Indra* is able to control harmful creatures also and we are praising to *Indra* for prohibition of those people, who are worshipping the *Śiśna* and they are *Adeva* (they are not worshiper of our *Devas*).<sup>13</sup> In the context of *yajña* ritual, it is a fundamental question that raises when it started? Who was the first worshiper through this style of worship? And since when it has been coming through generation to generation? All these questions have tackled by the Vedic seer. In *Ṛgveda*, there is a *sūkta*, dedicated to Lord *Indra*. Seer saying that *yajña* for that God *Indra* always happens, who is the actuator of water, which is very stunning, who killed the demon named *Ahi*. The worshiper of *Indra* continuously conducts the *yajña* for Lord *Indra*. “No one knows when the *yajña* first time took place.”<sup>14</sup>

*Ṛta* is another name of truth. There are many hymns in which the word *Ṛta* is used for this quality. It was the supreme value at that time. The truth was the root of all other Vedic doctrines, and *Ṛta* is often used for the reflection of the greatness of truth. In second *maṇḍala*, the seer is preaching to God *Bṛhmaṇaspati*. *Ṛta* is used here for the truth.<sup>15</sup> *Ṛta* is also a synonym of the word ‘day’ in next *maṇḍala*. At a hymn, the seer says, “Sun inters in the largest canvas of *dyāvāprthivī* by inspiring to us as at the starting of the day.”<sup>16</sup>

<sup>13</sup> . Na yāvat indra jujuvurno na vandanā śaviṣṭha vedyābhiḥ,

Sa śardhaduryo viṣuṇasya jantormā śiśna’devā api gurrataṃ naḥ. –*Ṛgveda*, 7.21.5

<sup>14</sup> . Ṛtaṃ devāya kṛṇvate savitra indrāyāhighne na ramanta āpaḥ,

Aharaharyāyakturapāṃ kiyātyā prathamah sarga āsām. –*Ṛgveda*, 2.30.1

<sup>15</sup> . Ṛtāvānaḥ praticakṣyānṛtā punarāt ā tasthuḥ kavayo mahāspathah,

Te bāhubhyāmdhamitamagnimaśnati nakiḥ ṣo astyaraṇo jahurhitam. –*Ṛgveda*, 2.24.7

<sup>16</sup> . Ṛtasya budhna uṣasāmiṣanyan vṛṣā mahī rodasī ā viveśa,

*Ṛta* was not only limited as the power beyond God, but it was also a parameter for a successful and popular king. *Ṛta* was a natural law, and this supreme power highly inspired the early Vedic seers. They described as the controlling power and at the same time, they established it as the qualification for a man, who was desired to be the king of the entire state. The truth was the supreme doctrine of that contemporary Polity, or we can say, early Vedic polity was founded on the strong base of truth, honesty, and non-violence. '*Ṛta*' term was used for expressing the power of truth also. In the eighth *maṇḍala* of *Ṛgveda*, there is a hymn, where the qualification of the king and his popularity defined based on qualities of his character.<sup>17</sup>

The seer of this hymn is *Viśvamanā Vaiyaśva*, and the Gods of the *sūkta* are *Mitrāvaruṇau*. Seer is saying that the follower of the path of truth and performer of excellent duties man can rule the state with all transcendent, such kind of king protects his objects from the challenges and then he achieves the full support and force of his entire civilians living in his state.

*Ṛta* was praised by the vast *Dyu* and the extensive *Antarikṣa*. The highly praise able earth also greets to the *Ṛta*. The Gods with holly forces like *Indra*, *Mitra*, *Varuṇa*, *Bhaga*, and *Savitṛa* are also praising to that power called *Ṛta*.<sup>18</sup>

These are major aspects of the term *Ṛta*. By the observation of usages of this term, we can say that it was a unique, great, and super powerful thing at that time. *Ṛta* is generally used for expressing the qualities of character and also for the reflection of that power, which was the inspirational factor of Gods like *Indra*, *Soma*, *Agni*, *Uṣas*, *Bṛhmaṇaspati*, etc. This term was containing great virtues and moral highness at that time. *Ṛta* was not only used for a

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Mahī mitrasya varuṇasya māyā candreva bhānuṃ vidadhe purutrā —Ṛgveda, 3.61.7

<sup>17</sup> . Ṛtavānā niṣedatuḥ sāmṛājyāya sukrat,

Dhṛtavratā kṣatriyā kṣatramāśatuḥ —Ṛgveda, 8.25.8

<sup>18</sup> . Ṛtasya hi prasitirdyaururu vyaco namo mahyamaramatiḥ panīyasī,

Indro varuṇo mitraḥ saṃ cikitrire'tho bhagaḥ savitā pūtakṣasaḥ —Ṛgveda, 10.92.4

particular sense or essence, but it was also used for several forms of expression. *Rta* is a unique quality within God, and at the same time, it is also a synonym of truth, ritual and the process of *yajña* which was happening for make arrive the holy things for Vedic Gods and Goddess. The political form of *Rta* was nothing but it was the supreme qualification for the master or king of a particular clan, village, or state. It was a mythological imaginary quality or virtue which was working behind the supernatural forces and elements, and it was inspiring them to do their duties and bear their responsibilities very well. From that point of view, when the Vedic seers derived the rules and regulations for their ruler, they minded these supreme qualities of *Rta* and transplanted all these aspects and qualities of *Rta* within the King ruler. We seem that there was no kingship at the early stage of polity in Vedic society. As Vedic people made the structure of Gods like *Indra*, *Mitra*, *Varuṇa*, *Viśvadeva*, *Soma*, *Agni*, and all their Gods; they formed their political structure just like their Gods. God *Indra* was a powerful warrior, and others were their supporters and helpers. *Indra* was the combination of all other deities, or we can say all other powerful elements made to God *Indra*. Vedic polity also started with this phenomenon, and firstly we found some groups of ordinary people and seers. These groups were their first sign of appearance of polity in Vedic society. Councils and civil society of these people were bearing the responsibility of governance, but in the next evolution of polity, they chose a man and gave him the power to govern and protect them. Before we say more about these councils and kingship, we should know about the nature and working system of those councils.

### **1.3.1. *Rgvedic* Councils**

*Rgveda* is the earliest creation by human beings. The hymns of great Vedas were incarnated by Vedic seers. These are the primary source of knowledge. We find the first appearance of Indian Polity in Vedic texts. In the early stage of Vedic culture, people started their lives in the form of the clan. They collectively decided their policies and activities for livelihood. It is the primary factor for their collective political approach who expressed in *Rgveda* in the

form of various councils like *Sabhā*, *Samiti*, *Vidatha*, and collective decision-making process. According to *Atharvaveda*, *Sabhā* and *Samiti* were the two daughters of *Prajāpati*.<sup>19</sup>

The word *samiti* means ‘meeting together,’ i.e., an assembly. The *samiti* was the national assembly of the whole people of *Viśah*; for we find ‘the whole people’ or *samiti*, in the alternative, electing and re-electing the *Rājan* or King.’ The whole people were supposed to present in the Assembly.<sup>20</sup>

*Samiti* was the council of those people, whose power was more than the king. He was bound to attend all the meetings of *samiti*. The appearance of the king in front of the *samiti* was powerful and based on peoples’ choice. The king, who regularly attends the *simiti*, was appreciated as the ‘true and punctual king’ and if he did not participate in it, he would be considered as ‘untrue,’ the significance of which we shall see when we come to the ceremony of Vedic Coronation.<sup>21</sup>

*Samiti* was not only for political affairs but also for non-political responsibilities like social issues, animal, crops, housing, and it also appeared for the solution of controversies between two villages or regions. Whereas we saw that *samiti* was called the daughter of *Prajāpati*, so it is clear that this council was very powerful and established from early Vedic society.

*Sabhā* was also a significant council with the same importance as *samiti* because it was also established as the daughter of *Prajāpati* and was known as the sister of the *samiti*. K.P. Jayaswal guesses that it may be the council of some selected members, appointed by the *samiti* to cooperate and help to King and *samiti*.<sup>22</sup> But functioning and some duties of *sabhā* were very clear. The main duty of *sabhā* was related to judicial affairs. A hymn in

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<sup>19</sup> . *Sabhā ca samitiścāvatām prajāpraterduhitarau saṃvidāne,*

Yenā saṃgachā upa mā sa śikṣāccāru vadāni pitarah saṃgateṣu –Atharvaveda, 7.12.1

<sup>20</sup> . Hindu Polity, K.P. Jayaswal, p. 12

<sup>21</sup> . Ibid, p. 13

<sup>22</sup> . Hindu Polity, K.P. Jayaswal, p. 19

10<sup>th</sup> *maṇḍala* of *Ṛgveda* said, “The friend of one who has come back successful from the *sabhā* ‘joyful’ and ‘delighted’ and the man himself as ‘free from blame’:<sup>23</sup>

*Sarve nandanti yaśasāgatena sabhāsāhena sakhyā sakhāyah,*  
*Kilbiṣaspr̥tpituṣaṇirhyeṣāmaram̐ hito bhavati vājināya.*<sup>24</sup>

Prof. U.N. Ghoshal said, “The Samiti was the folk assembly par excellence of the Vedic Aryans and occupied as such a portion of sufficient importance to make it the king’s most valuable asset, and that the *Sabhā*...tended at an early period to be narrowed down into the King’s Council and Court, and finally both the assemblies enjoyed the right of debate.”<sup>25</sup>

Apart from these both councils, there was another council existing in the early Vedic period. The name of that council was *Vidatha*. It was the public council for every citizen, including all council members and regulating bodies. It was operated for any mass religious function or such kind of festivals or cultural events. *Vidatha* quoted in first *Maṇḍala*’s 60<sup>th</sup> *Sūkta*, where, the God *Agni* was presented as the flag of *Vidatha*.<sup>26</sup>

*Vidatha* often seen us related with three works, first as an ordinary civilian, second in the form of war and third is seen as religious works. Third *Maṇḍala* describes that the *Marudgaṇa* are going for *Yajña* for wishing the *Havya*. They are with riding on speckled horses, they are the bearer of undestroyed wealth, and they have great fortitude.<sup>27</sup>

A significant and exciting fact is that women were also allowed for participation in *Vidatha*. Ralph T.H. Griffith translated, “Happy be thou and prosper with thy children here; be

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<sup>23</sup> . Ibid, p. 20

<sup>24</sup> . *Ṛgveda*, 10.71.10

<sup>25</sup> . *Studies in Indian History and Culture*, U.N. Ghoshal, p. 359

<sup>26</sup> . *Vahniṃ yaśasaṃ vidathasya ketuṃ supṛāvyam̐ dūtam̐ sadyo’arham̐,*

*Dvijaṇmānaṃ rayimiva praśastaṃ rātiṃ bharadbhrgave mātariśvā*

–*Ṛgveda*, 1.60.1

<sup>27</sup> . *Vrātam̐ vrātam̐ gaṇam̐ gaṇam̐ suśastibhiragnerbhāmaṃ marutāmoja īmahe,*

*Pr̥śadaśvāso anavabhrarādhaso gantāro yajñaṃ vidatheṣu dhīrāḥ*

–*Ṛgveda*, 3.26.6

vigilant to rule thy household in this home. Closely unite thy body with this; man, thy lord. So shall ye, full of years, address your company:”<sup>28</sup>

*Iha priyaṃ te smṛdhyatāmasmin gr̥he gārhyapatyāya jāgr̥hi,  
Enā patyā tanvaṃ saṃ sr̥jasvād̥hā jivr̥iṃ vidathamā vadāthaḥ.*<sup>29</sup>

Some other Hymns are indicating that *Vidatha* was a public place for ritual and worship. But, surely, there were three influential and significant councils in the early Vedic period. Though there is nothing systematic and serial-wise series of hymns about these councils, we can easily find the essence and route of later political councils, wings, and organizations.

### 1.3.2. *Viśpati* (King) in Early Vedic Period

In early Vedic era, there was no possibility for a theory about kingship. Vedic civilians chose their leader through councils to bear the safety and security responsibilities of the entire *Viś* or village. Electing a member as the King was not very hard that time. But his family strength, background, and power was the deciding factor. The strongest person of that village was appointed as the King.

There are two Sukta, especially for the King in *Ṛgveda*. Both are situated in 10<sup>th</sup> Maṇḍala. The Seer of Sukta is praying for the favour of King by saying that he has chosen the king, and the king should stand with him firmly. All people are worshiping for the king. The kingship may always be established and never fall.<sup>30</sup>

This Sūkta is praising for the king, for a better and well-established kingship. He prays that *Dyu* (the Sky) is immovable, the earth is established, the mountains are immovable, and this world is stable. All these things are established and immovable on their poles. You the king may always establish and be immovable your kingship in this *Viś* or clan-like (previously

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<sup>28</sup> . The Hymns of the Rig-Veda, Ralph T. H. Griffith, p. 464

<sup>29</sup> . *Ṛgveda*, 10.85.27

<sup>30</sup> . *Ā tvāhār̥ṣamantaredhi dhruvastiṣṭhāvicācaliḥ,*

*Viśastvā sarvāṃ vāñchntu mā tvadrāṣṭramadhi bhraśat*

–*Ṛgveda*, 10.173.1



described) these things.<sup>31</sup> The Seer prays for King that Soma and Savitṛ made the king victorious. These Gods made you full with all specialties. With all these powers, O king! You may become a great King or ruler.<sup>32</sup>

The essence and seeds of a polity can be easily found in *Ṛgveda*. The council system became the founding factor of later republic states, and the system of kingship became the founding factor of later monarchical states.

#### 1.4. Political Principles in *Atharvaveda*

There is enough time-gap between *Ṛgveda* and *Atharvaveda*. The Vedic society, lifestyle, and political approaches also became more apparent and systematic than *Ṛgvedic* time. *Atharvaveda* first time generated the theory of the origin of the state or government. This Veda described the formation of systematic political institutions. We find this concept of the origin of various political wings of the state. In the early stage of the creation, there was no organized institution. All human being was living separately that was the stage of 'Virāḍ,' means society or group of the human without a ruler. These Individuals came together slowly and made a clan and started living with each other. This condition called in *Atharvaveda* named, 'Gārhapatya.' After the family formation, the Vedic people formed councils for discussion on all matters. These councils became famous as *Samiti*, *Sabhā*.<sup>33</sup>

<sup>31</sup> . Dhruvā dyaurdhruvā pṛthivī dhruvāsaḥ parvatā ime,

Dhruvaṃ viśvamidaṃ jagad dhruvo rājā viśāmayam

–Ṛgveda, 10.173.4

<sup>32</sup> . Abhi tvā devaḥ savitābhi somo avīṛtat,

Abhi tvā viśvābhūtānyabhivarto yathāsasi

–Ṛgveda, 10.174.3

<sup>33</sup> . Virāḍvā idamagra āsīt tasyā jātāyāḥ sarsvamabibhedyamevedaṃ bhaviṣyatīti Sodakrāmat sā gārhapatye nyakrāmat. Gṛhamedhī gṛhapatirbhavati ya evaṃ veda. Sodakrāmat sāhavanīye nyakrāmat. Yantyaṣya deva devahūtiṃ priyo devānāṃ bhavati ya evaṃ veda. Sodakrāmat sā dakṣiṇāgnau nyakrāmat. Yajñartau dakṣiṇīyo vāsateyo bhavati ya evaṃ veda. Sodakrāmat sā sabhāyāṃ nyakrāmat. Yantyaṣya sabhāṃ sabhyo bhavati ya evaṃ veda. Sodakrāmat sā samitau nyakrāmat. Yantyaṣya samitiṃ sa mityo bhavati ya evaṃ veda. Sodakrāmat sāmantraṇe nyakrāmat. Yantyaṣya āmaṃtraṇamāmantraṇīyo bhavati ya evaṃ veda.

–Atharaveda, 8.10

Though the power of appointment of a king by-election was still in the hands of councils, now the king was more powerful for the functioning of the state. Citizen of the *Viś* (village) had still been adopted their King.<sup>34</sup>

The King was following the path of the entire society and council. It denotes that the Early Vedic era was very liberal about the functioning of the system. Those were the citizen of the state who decides on any matter or affair through their councils and forwards their recommendations to the ruler for execution. It also means that the king was the servant of his objects, and his citizens were supreme rulers. This fact specially described in *Atharvaveda*.<sup>35</sup>

The people, who were already the part of councils or former bearers of the kingship give gifts to the new oath taken a king. It was also described that Seer calls a king the lion and order him to sit on the leather crust of the lion and show his strength everywhere for the gaining of appreciation by his citizens and neighboring states.<sup>36</sup>

The king protects its citizen and state by the great power of *Brahmacarya*. Here *Brahmacarya* means the mental, physical, and property based strength of the ruler. As we know, Vedic was a very early period of civilization. The kingship and the formation of the state were still maintaining itself for the shape of the systematic line and order. In this atmosphere, the Seer emphasized on the ruler and made him very powerful and punctual. He was responsible for everything in his state and his citizen. So *Ṛṣi* was very aware of this important position.

*Samiti* and *Sabhā* became more systematic and also more responsible. Their separate existence and importance were the same, but now *Sabhā* was known by another name,

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<sup>34</sup> . Tvām viśo vṛṇatām rājyāya tvāmimāḥ pradiśaḥ pañca devīḥ,

Varṣman rāṣṭrasya kakudī śrayasva tato na ugro vibhajā vasūni

–Atharvaveda, 3.4.2

<sup>35</sup> . Ūrjo tvā balāya tvā - Rāṣṭrabhr̥tyāya paryuhāmi śataśāradāya

–Atharvaveda, 19.37.3

<sup>36</sup> . Vyāghro adhi vaiyāghre vikramasva diśo mahīḥ,

Viśastvā sarvā vñchantvāpo divyāḥ payasvatīḥ

–Atharvaveda 4.8.4

'*Nariṣṭhā*' a non-violent council. King prays that O *Sabhā*, your name is also '*Nariṣṭā*.' you are very famous, and your councilors may always communicate me by an equal or similar approach.<sup>37</sup>

The main focus of *Atharva-Vedic* Polity was very cooperative for two mighty institutions named kingship and council. The monarchy was rising with some more power and councils were also promoting for this. The respect of a king was increased because of his administrative and military powers. Construction and transportation now became the responsibility of the King.<sup>38</sup>

Citizen of the state suggested giving not only the respect and honor but also service of every kind. Mostly, administrative and governmental responsibilities were shifted to the '*Kṣatriya varṇa*.' Now, it became a compulsory qualification for a king that he would be a '*Kṣatriya*.'<sup>39</sup> The time and condition of *Atharvaveda* is the last stage of Vedic Primer tradition. Many concepts regarding kingship, councils, and other political institutions became clear and systematic now.

Formation of society into four sub-divisions came into existence. Professions are now divided according to *varṇa* position of a man. But we should mind that these were the initial conditions where all these activities were taking place without any theoretical background. Political doctrines were taking birth, and the foundation of society, polity, economy, religion, and faiths were under construction. After the phase of formation of the first hymns of Vedas, the tradition of *Brāhmaṇa* Literature started. These texts were created for the explanation of Vedic hymns and conceptions. They also provided valid and authentic reasons for every Vedic theory related to polity, economy, society, and religion. For example, there is a *Sūktain* 6<sup>th</sup> *Kāṇḍa* of *Atharvaveda*, where the origin of kingship in early

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<sup>37</sup> . Vidma te sabhe nāma nariṣṭā nām vā asi,

Ye ta eke ca sabhāsadaste me santu savācasah

–Atharvaveda, 7.12.2

<sup>38</sup> . Atharvaveda, 12.1.47

<sup>39</sup> . Ibid, 10.5.3-2

time has described. The seer explained that as all the sky elements (*Nakṣatra*) chose *Śakadhūma* as their king and defeated the darkness and other enemies, as well as, we (the citizen of clan or village) have chosen our king for our precious and defeating of the enemy.<sup>40</sup> These hymns were also provided the ground to later Vedic literature. Seers explained and created the theories of kingship etc. based on such kind of hymns and ideas. We will find the expansion of Vedic ideas in *Brāhmaṇa* literature.

### 1.5. Political Principles in *Brāhmaṇa* Literature

There are four Vedas in Sanskrit tradition. After the appearance of Vedic literature, the next stage of Vedic literature is the textual tradition of those texts, which came into existence for the explanation of Vedic hymns and terminologies. “*Brāhmaṇaṃ nāma karmaṇastanmantrāṇāṃ ca vyākhyānagranthaḥ*”<sup>41</sup> it means *Brāhmaṇa* are the texts for the description of Vedic hymns and for the explanation of *Yajñavidhi* (the process of conducting a sacrifice). According to great western scholar Mr. A. Waber, “The word Brahmana signifies that which relate to prayer Brahmana.”<sup>42</sup> Mr. Waber has taken the meaning of *Brāhmaṇa* used for the Prayer. M. Winternitz has some broader view about the meaning of *Brāhmaṇa*. He said, “Brahmana are voluminous prose texts, which contain theological matter, especially observations on sacrifice and the practical or mystical significance of separate sacrificial rites and ceremonies.”<sup>43</sup>

#### 1.5.1. The objective of *Brāhmaṇa* Literature

The style of *Brāhmaṇa* literature is mainly on the form of prose. There are a few places, where it seems in poetry form. The aim of this literature was focused on the explanation of Vedic hymns, which were already come into existence since the early Vedic period. They were also dedicated for the clearance of conceptions of Vedic sacrifices, the description of

<sup>40</sup> . Śakadhūmaṃ nakṣatrāṇi yad rājānamakurvāt,

Bhadrāhamasmai prāyacchannamidaṃ rāṣṭramasāditim. –Atharvaveda, 6.128.1

<sup>41</sup> . Taittirīya Saṃhitā Bhāṣya, 1.5.1

<sup>42</sup> . History of Indian Literature, p. 12

<sup>43</sup> . History of Indian Literature by M. Winternitz, p. 46

the various sacrificing process, the demonstration of secret results of sacrifices described in Vedic tradition were also the objectives of this literature. The great scholar and annotator *Śabara Swāmī* divided all the objectives of *Brāhmaṇa* into ten categories.<sup>44</sup> There are ten objectives where two are very important from this work. These are the *vidhi* and *arthavāda*; others are secondary objectives. Though, there is no clear conception about the notion of politics or political principles but during the explanation of Vedic hymns, the annotators and commentators highlighted and cleared the stories of that period and provided us the invaluable political theories and doctrines. Before we analyze the political notion of this literature, let us introduce this tradition. According to *Mahābhāṣya*,<sup>45</sup> There are eleven hundred and thirty-one (1131) branches of Vedic *Samhitā*, and every branch had its *Brāhmaṇa* text, but the available numbers of *Brāhmaṇas* are only seventeen. *Aitareya* and *Kauṣītaki Brāhmaṇas* are the branches of *Ṛgveda*. *Mādhyandina Śatapatha Brāhmaṇas*, and *Kāṇva Śatapatha Brāhmaṇas* are related to *Śukla Yajurveda*, *Taittirīya Brāhmaṇas* is the branch of *Kṛṣṇa Yajurveda* and *Gopatha Brāhmaṇas* is the *Brāhmaṇa* text of *Atharvaveda*. Other eleven *Brāhmaṇas* are related to *Sāmaveda*.

### 1.5.2. The notion of Politics in *Brāhmaṇa* Tradition

We find the maturity and more systematic analysis of politics and other knowledge in the next phase of Vedic literature. The *Brāhmaṇa* texts analyzed and provided us the reason behind all political creations of Vedas.

### 1.5.3. War theory of origin of Kingship

*Aitareya Brāhmaṇa* Provided the theory of the formation of Kingship. It was a war based theory. Vedic warriors were defeated in war by other clans, or we can say, by Non-Aryans. After several discomfitures, they evaluated themselves and found that they are defeating

<sup>44</sup> . Heturnirvacanaṃ nindā praśamsā saṃśayo vidhiḥ,

Parakriyā purākalpaḥ vyavadhāraṇakalpanā,

Upamānaṃ daśaite tu vidhayo brāhmaṇasya tu.

–Mīmāṃsā Sūtra Bhāṣya, 2.1.8

<sup>45</sup> . Ekaḥ śatamadhvaryuḥ śākhāḥ sahasravartmā sāmaveda ekaviṃśatidhā brāhṛcyam navadhātharvaṇo vedah.

because of the lack of a war leader. So they decided to choose a war leader. God *Soma* was chosen by them as their war leader. He was the strongest member of the clan who can manage and repair the mistakes and can lead the army. When they decided their war leader and fought against their enemy collectively, they became victorious:

*“Devāsurā vā eṣu lokeṣu samayatanta.... tāṁste'surā ajayan..... te devā abruvannarājatayā vai no jayaṁti. Rājānaṁkaravāmahā, tathaipi somaṁ rājānakurvaṁste romena rājñā sarvādiśo'jayan”<sup>46</sup>*

Above mentioned prose of *AitareyaBrāhmaṇais* not only an indicator about the origin of kingship but also provides authentic information about the war between two great clans at that time. One of them was already established, and others were fighting for survival or for establishing themselves and their culture. It may also clearly seen in Ṛgvedic hymns that there are several *sūkta* who are only dedicated to Gods for their protection from enemies, storms, and also there are many praising to kill their enemy. *AitareyaBrāhmaṇa* gave us the reason behind the appointment of a man as the king.

It is self-evident that bearers of Vedic culture came in the South Asian region from any other region and already established clans and communities gave them tough competition for existence. This fable is also indicating that Vedic warriors or people were only one community early, and they had no organization for internal or external dealings. But when they roamed other region and met to other communities or clans, they fought and defeated them. This critical situation gave them the opportunity to re-establish themselves to be organizational power.

Finally, they invented their first collective organization under a man or God, who became their first Leader or King. Thus, Aryans discovered their first doctrine for their survival as the community of a culture, and it became the first brick of foundation of later political theories. This theory of the origin of kingship is also considered by many western scholars and thinkers. We shall discuss more western political approaches in the next section of this work.

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<sup>46</sup> . *Aitareya Brāhmaṇa*, 3.3

#### 1.5.4. Chaotic Theory of origin of Kingship

The *Śatapatha Brāhmaṇa* has authentic information about the origin of kingship. According to this information, there was no appearance of any governing body at the early stage of the civilization. Entire human society was equal, and there was no distinction on the basis of any form. Entire society (clan) was one and undivided. There was no distinction like king and civilians. All the affairs were independent and self-operated (we can say it was the chaos type situation). In this condition, for the welfare, well arrangement and maintaining the discipline; the kingship was born for the Gods for the first time. Just after the generation of kingship for the Gods, it was also created and provided for human beings. After the origin of kingship for humans, the segmentation of societies taken place, and the equal and undivided society was divided into four *varṇa*:

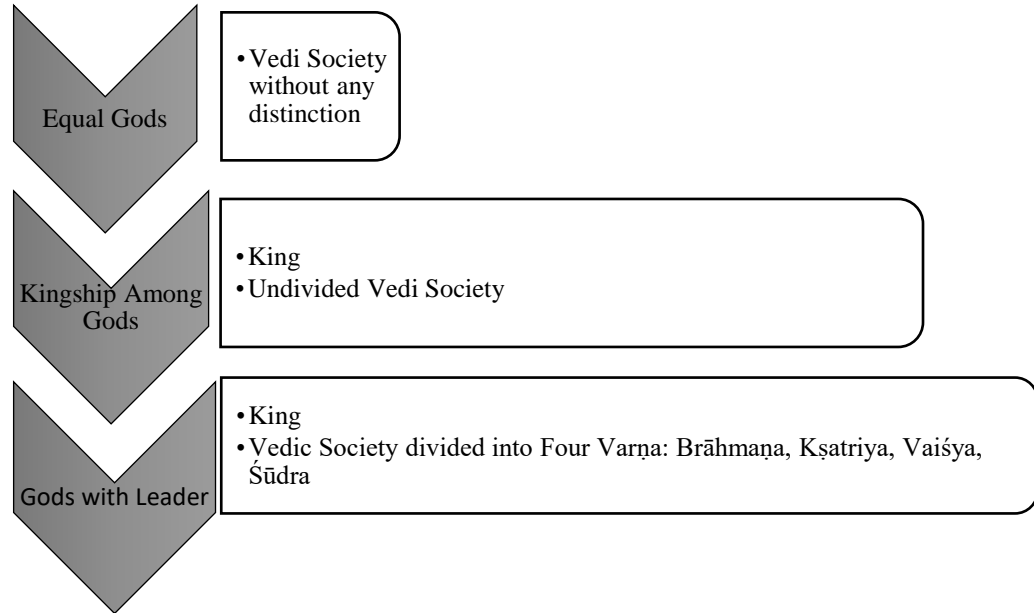
*“Brahma vā idamagra'āsīt ekameva. Tadekaṃ sanna vyabhavat. Tat śreyorūpamatyasṛjata kṣattram. Yānyetāni devatrā kṣattrāṇi. Indro varuṇaḥ somo rudraḥ parjanya yamo mṛtyurīśāna iti. Tasmāt kṣattrātparam nāsti. Tasmāt brāhmaṇaḥ kṣatriyamadhastādupāste rājasūye. Kṣattra eva tadyaśo dadhāti. Saiṣā kṣattrasya yoniḥ. Yat brahma. Tasmādyadyapi rājā paramatām gacchati. Brahmaivāṃtata upaniśrayati svām yonim. Ya u hinasti. Svām sa yonimṛcchati. Sa pāpīyān bhavati yathā śreyāṃsam hiṃsitvā.”*<sup>47</sup>

Above mentioned fact from *Śatapatha Brāhmaṇa* seems more authentic, practical, and systematic. The origin and evolution of politics in Aryans are described therein well phase-wise. *Aitareya Brāhmaṇa* gave that situation, which was generated when Aryans were fighting for their new places. But *Śatapatha Brāhmaṇa*'s this theory containing practical and real evolutionary facts. It is a more authentic theory regarding the origin of the theory of kingship. This theory has no room to imagine any supernatural or miracle type of hypothetical condition. There is no space for the imagination of a miracle based or God-gifted type theory. The seer was describing the evolutionary process and told us that it had happened step by step. The very first time, the kingship was invented and implemented for those, who were the protectors, and guardians of the entire Vedic clan. When it worked well, and they

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<sup>47</sup> . *Śatapatha Brāhmaṇa*, 14.1.2.23

defeated their enemies by applying this idea, they provided it to their ordinary people. We can understand this evolutionary theory of Vedic politics by bellow mentioned graph:



These are two theories regarding the origin of Kingship according to *Brāhmaṇa* literature. Both are very realistic and factual theories.

The concept of '*Rāṣṭra*' became more popular and powerful now in *Brāhmaṇa* literature time. *Śatapatha Brāhmaṇa* explained the importance and duties of the king. It is accepted that the king was the most dedicated person for the '*Rāṣṭra*' because they were the caretaker and responsible person towards their '*Rāṣṭra*'.<sup>48</sup>

So, after the analysis of Vedic literature, we can find the origin and development of Indian polity and its other wings. Vedic seers and society were most intellectual and most innovative at the same time. We also find a great attribute in this tradition. The theory and applied form of politics were running together. The early Vedic society created the rules and theories not only for the discussion in any intellectual forum of school but also for quick execution in their contemporary issues, problems, and conditions. This attribute gave the

<sup>48</sup> . Śatapatha Brāhmaṇa, 9.4.1.1-5



strong base of Indian polity, and it became more applied in later age. From the *Ṛgveda* to Post-Vedic period, we can observe the systematic evolution in the political institution. *Samiti* and *Sabhā* have all powers at their formation age, but according to time and condition, both councils became the wings of state and converted to the council of ministers and administrators.

Origin of kingship and the centralization of power within it made the king more powerful than councils. Both councils took place beside the King as his advisor and cooperator. Now the king was master of all source of power, and the theories of the origin of kingship gave it spiritual and full of God gifted powers. King was accepted as the representative of all Gods like Indra, Mitra, Varuṇa, etc. There are many theories about the origin of kingship, according to *Brāhmaṇa* literature.

After the origin of kingship, the political thinkers derived some principles and Ethics for the king. Though King was compelling and he was supreme commander of the arms and war affairs, but he was not independent or dictator. He was strictly bound with some conditions, rules, and contracts.

It was a strict rule for the king that he will take all steps in guideline with the *Brāhmaṇa*. It is mentionable that at least the concept of *Dvijacame* into existence and three varṇa known by this term. Duties, according to Varṇa position, was also derived in this stage. The hymns of *Puruṣa Sūkta*<sup>49</sup> first time derived the origin of all four *Varṇa* just before *Brāhmaṇa* literature's era.

This distinction was not only for the social structure but also for political, religious, economic affairs. From the political point of view, it gave all governmental, administrative, and armed powers to *Kṣatriya Varṇa*. When *Brāhmaṇa* Literature started explaining the Vedic hymns and terms, there was the precise social and political guideline was in front of them, and they extended it and gave it an authentic shape. Based on those phenomenons, the *Brāhmaṇa* text writers and seers explained the duties and principles for the ruler or king.

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<sup>49</sup> . Brāhmaṇo'sya mukhamāsīt, bāhuḥ rājanyaḥ kṛtaḥ,

Uru tadasya yadvaiśyaḥ, padbhyām sūdro ajāyat.

–Ṛgveda, 10.90.12

### 1.5.5. The Contract theory of origin of Kingship

In the previous discussion, we saw that Kingship came into existence due to battle affairs. The clan had chosen the king for their arms leadership. The king was the strongest man within that clan. Evolution in this theory took place, and now the king was bound with not only for war morality but also for all matters. On the time of coronation, some essential contracts had to accept by the upcoming king while taking the oath. The intellectuals or lawmakers described some rules and regulations for the king and also decided duties for him. A man who followed the rules and accepted that rules, was called '*Dhṛtavrat*' means the holder or acceptor of the rules. This term was first time used in *R̥gveda*, where the seer praising to *Viśvedevā* by calling him '*Dhṛtavrat*' means the holder and acceptor of the vow of the truth.<sup>50</sup> This spirit became wide in *Brāhmaṇa* literature period.

The war leadership began from the God *Indra*. He was the best warrior among all other *Devas*, a sharpshooter of enemies and a great protector of his people and followers.<sup>51</sup> These three qualities became the essential qualification for a king in the folk. *Rājyābhiṣeka* (coronation of the king) was the crown ceremony of the king conducted by the seers or *Brāhmaṇas*. On this occasion, the intellectual group coronate the king and give him the all kind of responsibility of the state by saying some contract sentences in the form of Mantras or praising. For example, the below-provided prose of *Śatapatha Brāhmaṇa* saying that O King! For the growth of agriculture, for the growth of wealth, for the welfare of the public, for the protection of all people and the safety of the nation, I am doing your coronation on this great seat of honor (throne):

*“Saāstr̥ṇāti iyaṃ te rāḍiti rājyamevāsminnetaddadhāt̥yathainamāsādayati yantā'si yamana iti yantāramevainametadyamanamāsām̐ prajānām̐ karoti dhruvo'si iti dhruvamevaina-metaddharuṇa-masminloke karoti kṛṣyai tvā kṣemāya tvā rayyai tvā poṣāya tveti sādhave tvetyevaitadāha.”*<sup>52</sup>

<sup>50</sup> . Pra sūna etvadhvaro'gnā deveṣu pūrvyaḥ,

Ādityeṣu pra varuṇe dhṛtavrate marutsu viśvabhānuṣu.

–*R̥gveda*, 8.27.3

<sup>51</sup> . Aitareya Brāhmaṇa, 38.1

<sup>52</sup> . Śatapatha Brāhmaṇa, 5.1.6.25

### 1.5.6. Divine Theory of origin of Kingship

This theory of the origin of kingship is also found in *Brāhmaṇa* literature. There is a fable in *Taittirīya Brāhmaṇa* regarding the divine theory of kingship. *Indra* was also a common god among all other Gods but the supreme lord *Bṛhaspati* gave him divine powers for making him the powerful war leader and controller of all affairs. After gaining the divine powers from *Bṛhaspati*, he became powerful and also became the king of all Gods, though was younger of all other Gods.<sup>53</sup>

This rule became the theory of kingship. On the basis of this Vedic fable, it applied in human society. Before taking of responsibility of kingship, the man was also a common man like other citizens. When he takes charge of kingship, and he appointed as the king by the citizen and *Brāhmaṇa*, after the coronation he becomes the power bearer of King, God *Viṣṇu* and *Yajamāna*.<sup>54</sup>

All these theories and institutions provided the strong base to later Indian scholars and Seers, and they created the most systematic and comfortable socio-political order in society. Monarchism was establishing slowly according to time. The '*Kṣatriya*' *varṇa* arose as the administrative and ruler community. So the weapon and administrative power shifted to this *varṇa*. *Samiti* was still powerful for the formation of new law and rules. In this context, it is also mentionable that the trend of *Yajña* became the parameter for showing the status of kingship. Power, the magnitude of the state was decided according to *Yajña*. If we talk particularly about those *Yajña* which were described for kings, there were two important *Yajña* for the king; first was *Rājasūya* and second was *Vājapeya*. *Śatapatha Brāhmaṇa* widely explained about both *Yajña* and said that *Vājapeya Yajña* was supreme *Yajña* for a king because of the objector of this *Yajña* becomes higher than Lord *Prajāpati*.<sup>55</sup> *Rājasūya*

<sup>53</sup> . Taittirīya Brāhmaṇa, 2.1.10.1-2 (cited in) Brāhmaṇa Granthom ke Rājanītika Siddhānta, p. 43.

<sup>54</sup> . Ubhayaṃ vā eṣo'tra bhavati yo dīkṣale viṣṇuśca yajamānaśca. Śatapatha, 3.1.5.17

<sup>55</sup> . Sa yo vājapeyena yajate. Sa idaṃ sarvaṃ bhavati sa idaṃ sarvamuḥjayati prajāpatiṃ huḥjayati sarvamu  
hyevedam prajāpatiḥ. –Śatapatha Brāhmaṇa, 5.1.1.8

*Yajña* was less superior to *Vājapeya Yajña*.<sup>56</sup> It was done by the *Rājā* who was less great than *Samrāt*.<sup>57</sup>

These are important and essential aspects of early Vedic Polity. Doctrines of politics were generated in that time when there were a few populations of *Āryan* society, and they were establishing themselves. But since their existence in the Indian subcontinent, they did not stop in every aspect of politics, society, religion, economic affairs and gave the concrete base to their later civilization.

The political phase of Vedic culture takes its completeness in *Brāhmaṇa* literature. From a historical point of view, here we find the appearance of Buddhism in India. The religious revolution of 6<sup>th</sup> century B.C. started by Buddhism made the full-court press in Indian society and changed its direction. This revolution not only changed the religious temperament but also commoved the roots of the social system, economic pillars, and most of them the mentality of all. It changed the direction of Vedic polity which had been continuing on the path of the very heavy expansive and prolonged ritual system. Religious pomp, animal sacrifice, and many other aspects suddenly stopped when the new phase of Buddhist ideology taken place among society.

It was an intense and logical movement that changed the discourse of Vedic seers also, and they once again returned to the early Vedic philosophy and started a new era of thinking called *Upaniṣadic Philosophy*. We will study the impact, ideology, and political principles of Buddhism in the next section. The context of Vedic and Later Vedic polity needs continuity in this chapter. So, according to the demand of study, we will study here the next phase of later Vedic polity called the Politics in Epic age.

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<sup>56</sup> . Rājña eva rājasūyaṃ. Rājā vai rājasūyeneṣṭvā bhavati na vai brāhmaṇo rājyāyālamavaraṃ vai rājasūyaṃ paraṃ vājapeyaṃ. –Śatapatha Brāhmaṇa, 5.1.1.12

<sup>57</sup> . Rājā vai rājasūyeneṣṭvā bhavati. Samrāḍvājapeyenāvaram hi rājyaṃ paraṃ sāmraḍyaṃ kāmayeta vai rājā samrāḍ bhavitumavaram hi rājyaṃ paraṃ sāmraḍyaṃ na samrāḍkāmayeta rājā bhavitumavaram hi rājyaṃ paraṃ sāmraḍyaṃ. –Śatapatha Brāhmaṇa, 5.1.1.

## 2. *Rāmāyaṇa* of *Vālmīki*: An Introduction

We are discussing the base of Ancient India's political principles. *Rāmāyaṇa*, the first epic of Sanskrit Literature has not many ideas about political issues, but it has very much importance at the same time from the point of view about its location, place and content and contribution in Indian history, polity, and society. That is why; it is very much essential to discuss the political ideas of *Rāmāyaṇa*. It is not only the first epic of proverbial Sanskrit literature but also the first appearance of *Chanda* (well metered, accurate in unit and magnitude poetry) of Sanskrit. But before we start the discussion about the inner aspects of this excellent text, let us know about the composer of this text and his name was *Maharṣi Vāmī*.

Some facts are available in the first and last *Kāṇḍa* of *Rāmāyaṇa*. *Ādhyātma Rāmāyaṇa* also has some fable about the early life of *Vālmīki*. *Mahābhārata* has not many sources, but some *śloka* of *Vālmīki's Rāmāyaṇa* are referred to as it is in this second epic. Other sources are found in *Purāṇa* literature. We will try to find out and analyze some factual and actual information about the poet.

*Ācārya Baladeva Upādhyāya*<sup>58</sup> mentioned *Skand*, *Bhaviṣyapurāṇa*, and other sources and described the above story about *Vālmīki* with some minor changes. These are just fables and seemed in very later literature. We can no say that these are true and factual, but at least all sources are reflecting a truth that he was a *Brāhmaṇa* and chose the profession of hunting and robbery in the influence of his surrounded people. He rescued by seers from that wrong profession and again became *Brāhmaṇa* by the intellect. The second fact reflects that he was Contemporaneous of *Rāma*. The internal sources of *Rāmāyaṇa* are also reflecting this fact. In *Uttarkāṇḍa*, when the first staging of *Rāmāyaṇa* was presented by *Kuśa* and *Lava*, composer of that fable *Maharṣi Vālmīki* announced, “O Lord *Rāma*! I am 10<sup>th</sup> son of the Seer *Pracetā* and an elite clan born *Brāhmaṇa*. I did never teach untruth to these both children who are your's son. I have been done the great effort and *Tapatill* thousands of

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<sup>58</sup> . Saṃskṛt Vāṅmāyā kā Bṛhad Itihāsa, Vol. 3, pp. 11-13

years (then I got the sheerness).<sup>59</sup> These are the substantial shreds of evidence that clearly announce the birth position of the composer of *Rāmāyaṇa* and give him his Identity as an elite and fully Vedic *Brāhmaṇa*. All literary evidence are establishing him by his own and real social position.

### 2.1. Buddha and *Vālmīki*

It is a most debatable question, and scholars get biased before analyzing the facts. There are both aspects of this debate. Some scholars fix the time of *Vālmīki* before Buddha, and some others put him after the Buddhist revolution.

Jacoby accepted the time of *Vālmīki* before Buddha based on language and lingual terms.<sup>60</sup> Baladeva Upādhyāyaderived the time of *Vālmīki* before Buddha and said that *Rāmāyaṇa* was the creation of that time when Sanskrit was a folk language, and ordinary people were speaking it in their day to day life. He also mentioned that *Ayodhyā*, the capital of *Daśaratha*, was referred in its full glorious status. Hence, there is no reference available in Buddhist literature about *Ayodhyā*.<sup>61</sup> Schlegel demarcated the time of *Vālmīki* before 10<sup>th</sup> Century B.C.<sup>62</sup> Father Kamil Bulke delimited the earlier time of *Vālmīki* around 600B.C.<sup>63</sup>

Above mentioned scholars are those who delineated the time of *Vālmīki* before Buddha. However, there are other scholars also who have accepted the period of *Vālmīki* and *Rāmāyaṇa* after *Buddha*.

Macdonell, K.P. Jayaswal and Jayachandra Vidyalankar are the three scholars who changed their view about the time of *Vālmīki* from their previous statements. All these evidences firstly delimit *Vālmīki* in 5<sup>th</sup> Century BC. However, they renovated their facts and derived

<sup>59</sup> . Pracetaso'haṃ daśamaḥ putro rāghavanandana,

Na smarāmyanṛtaṃ vākyamimau tu tava putrakau.

Bahuvarṣasahasrāṇi tapaścaryā mayā kṛtā.

–*Vālmīki Rāmāyaṇa*, 7.96.18-19

<sup>60</sup> . Ibid, p. 17

<sup>61</sup> . Saṃskṛt Vāṅgmaya kā Bṛhad Itihāsa, Vol. 3, p.19

<sup>62</sup> . German Oriental Journal, Vol. 3, p. 379

<sup>63</sup> . Saṃskṛta Sāhitya kā samīkṣātmaka Itihāsa, p. 107

it at 200 BC.<sup>64</sup> R.C. Majumdar derived the latest amplification in both, *Rāmāyaṇa* and *Mahābhārata* maximum at 200 A.D. but he also accepted the earliest time of both from 600 to 800 B.C.<sup>65</sup> M. Winternitz accepted the appearance of *Rāmāyaṇa* in the epical history of India around 300 B.C.<sup>66</sup>

New researches are trying to derive the time of *Rāmāyaṇa* thousands of year back from the appearance of Christ on astrological facts like the zodiac, stars, moon, and *tithi* (date & month) mentioned in *Bālakāṇḍa* of *Rāmāyaṇa*. But we never forget that the reference of zodiac signs was not available in Ancient India before *Mahābhārata*.<sup>67</sup> *Karka* (crab) etc. zodiacs are mentioned in *Bālakāṇḍa*. But we already saw, almost many scholars are accepting the fact that First (*Bālakāṇḍa*) and Last (*Uttarkāṇḍa*) Chapters were added very later of the original *Rāmāyaṇa*. It is very much possible that the date, time, and zodiac position would have been added in *Bālakāṇḍa* after many centuries in *Rāmāyaṇa* only for the purpose to locate the time of *Rāmāyaṇa* as much as earlier.

### 2.1.1. Internal Sources about Buddha in *Rāmāyaṇa*

There are many perceptions, concepts, ideas, and theories regarding the era of *Rāmāyaṇa*. We saw in the previous section how many scholars tried to determine the period. Many scholars made the parameter of time determination to Buddha, who was the founder of the Bloodless Revolution first time in World History. A section of scholars had the purpose to determination of time of *Vālmīki* only to prove that he was earlier than Buddha.

Dr. Surendra 'Agyat' pointed out some very concrete internal sources from *Rāmāyaṇa*. In his historical text, "*Buddhadhamma, Buddhivāda va Āmbedakara*," he described it with all faces.<sup>68</sup> Dr. Surendra gave two aspects. He mentioned three *śloka* from *Vālmīkīya Rāmāyaṇa*:

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<sup>64</sup> . Ibid, p. 107

<sup>65</sup> . Ancient India, p. 195

<sup>66</sup> . History of Indian Literature, Vol. 1, pp. 501-515

<sup>67</sup> . Saṃskṛt Vāṅmaya kā Bṛhad Itihāsa, Vol. 3, p.20

<sup>68</sup> . Buddhadhamma, Buddhivāda va Āmbedakara, pp. 275-280

*Devāyatana-caityeṣu sānnabhakṣāḥ sadakṣiṇāḥ,  
Upasthāpayitavyāḥ syurmālyayogyāḥ pṛthakpṛthak.<sup>69</sup>  
Yebhyaḥ praṇamase putra caityeṣvāyataneṣu ca,  
Te ca tvāmabhirakṣantu vane sahamaharṣibhiḥ.<sup>70</sup>  
Iti saṃcintya bhūyo 'pi vicetumupacakrame,  
Bhūmigrhāṃścaityagrhān grhātigrhākānapi.<sup>71</sup>*

Above mentioned, three *ślokas* are containing a unique word called 'Caitya.' It is a very remarkable word referred by the writer of *Rāmāyaṇa*. Dr. Surendra also gave evidence from four dictionaries and cleared the meaning of the word 'caitya.' It is used for the Buddhist worship places.<sup>72</sup> *Vāmana Śivarāma Āpṭe* mentioned the meaning of 'caitya' in his dictionary as a worship place of Buddhist and Jain followers.<sup>73</sup> *Devāyatana* and *caitya*, both words are used in the first-mentioned *śloka*. It means the word 'caitya' is indicating some worship place which is different from *Devāyatana* or a Hindu worship place like a temple and no doubt; it is indicating about the Buddhist holy worship place where the Buddhist monks were living. It also means that when the story of *Rāma* was created, Buddhism existed already in the society, and their 'caitya' were also available in many places. People had great respect for both the Hindu temples and even for the Buddhist *caitya*.

The second fact about the existence of Buddha before *Rāmāyaṇa* is situated in *Aranyakāṇḍa*. When *Bharata*; second younger brother of *Rāma* returned to *Ayodhyā* and knew all circumstances and bad condition of Kingdom and Family, he decided to meet to his eldest brother *Rāma* and pray him to. *Bharata* went *Citrakūṭa* and met to *Rāma* with all his mothers, teachers, ministers, *Sumantra*, and he also carried his Army. All family members and teachers talked to *Rāma* and asked him to re-join the *Ayodhyā* by braking the promise done

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<sup>69</sup> . Vālmīki Rāmāyaṇa, 2.3.18

<sup>70</sup> . Vālmīki Rāmāyaṇa, 2.25.4

<sup>71</sup> . Vālmīki Rāmāyaṇa, 5.12.14

<sup>72</sup> . Buddhadhamma, Buddhivāda va Āṃbeḍakara, pp. 275-276

<sup>73</sup> . Sanskrit-Hindi-Koṣa, p. 387



in front of his late father. *Rāma* did not agree to violate the order. In 108<sup>th</sup> Sarga of *Araṇyakāṇḍa*, *Maharṣi Jābāli* preached to *Rāma* by giving his logics those were influenced by *Cārvāka* and Buddhist thoughts. Though *Jābāli* was also an intellectual and great *Brāhmaṇa*<sup>74</sup> he was the follower of *Cārvāka* and other *Nāstika* ideologies. He gave many folk excuses and tried to make agree to *Rāma* for returning. After this Sarga, *Rāma* answered to *Jābāli* with full peace and gladness in 109<sup>th</sup> sarga.<sup>75</sup> He not only shown his earnest towards his fathers' behest but also dedicated himself on the path of truth and virtues. When he finished his comment, he said two remarkable comments for rebuttal of *Cārvāka* and *Buddhism*:

*Nindāmyahaṃ karma pituḥ kṛtaṃ tadyastvāmagr̥hṇādviṣamasthabuddhiṃ,  
Buddhyānayaivaṃvidhayā carantaṃ sunāstikaṃ dharmapathādapetaṃ.*<sup>76</sup>

The commentator over this *śloka* used the term “*Avaidikamārganiṣṇātabuddhiṃ*” for *Viṣamasthabuddhiṃ*.<sup>77</sup> Explaining the term, *buddhyā* the commentator said it is “*Cārvākamatā-nusārinyā buddhyā*.” It means an ideology that was not following the Vedic path, was anti-Vedic ideology and was known as *Avaidikabuddhi*, and it was the *Cārvāka* philosophy. This fact is reflecting that there was the existence of *Cārvāka* philosophy before *Rāmāyaṇa*.

Next *śloka* representing the second and last very important fact, which is the main point of this section, and that is:

*Yathā hi coraḥ sa tathā hi buddhastathāgataṃ nāstikamatra viddhi,  
Tasmāddhi yaḥ śaṅkyatamaḥ prajānāṃ na nāstikenābhimukho budhaḥ syāt.*<sup>78</sup>

<sup>74</sup> . Āśvāsayaṃtaṃ bharataṃ jābālibrāhmaṇottamaḥ,

Uvāca rāmaṃ dharmajñāṃ dharmāpetamidaṃ vacaḥ.

–Vālmīki Rāmāyaṇa, 2.108.1

<sup>75</sup> . Jābālestu vacaḥ śrutvā rāmaḥ satyātmanāṃ varaḥ,

Uvāca parayā bhaktyā svabuddhyā cāvipannayā.

–Vālmīki Rāmāyaṇa, 2.109.1

<sup>76</sup> . Vālmīki Rāmāyaṇa, 2.109.33

<sup>77</sup> . Śrīmadvālmīkiyārāmāyaṇaṃ, Vol. 2, p. 321.

<sup>78</sup> . Vālmīki Rāmāyaṇa, 2.109.34

Here the Buddha was compared with a thief. As a thief should be punished, the followers of Buddha are also punishable. When we use the term ‘follower of Buddha’ it means, Time of Buddha was very early from *Rāmāyaṇa*, and when this great epic was taking its physical appearance, the follower of Buddha was a big challenge for those scholars, who were feeling that Buddhism is harming their ideology and making the society Anti-Vedic. The commentator explained this *śloka* as given below:

*“Pratyakṣaikapramāṇavādī cārvākamatānusārī jābāririva pratyakṣamātrapramāṇavādī buddhamatāvalambī rājye yadi kaścitsambhavetsopi nirākaraṇīya ityāha- yathāhīti. Coro yathā nirākaraṇīyaḥ sa vedabāhyatvena prasiddhā buddhaḥ tathaiva nirākaraṇīyaḥ. Atra asmiṃlloke nāstikaṃ cārvākamapi tathāgataṃ budho'bhimukho na syāt.”*<sup>79</sup>

This commentary is saying many facts and also clarifying many conceptions at the same time. The first fact is that *Cārvāka* ideology was the main anti-Vedic philosophy at that time, and after that, Buddhism was a more significant challenge before Vedic experts of that era. Those Anti-Vedic elements were as punishable as same as a thief. There are many other evidences within the *Rāmāyaṇa* which are enough to prove its posterior time, but it is major prove of the fact. Some scholars also say that these verses may be implied, but the congruence of story and reference, language and other components are not indicating that some other person added these later. It is also mentionable that Jacobi and some other scholars considered first and last *Kāṇḍa* as implied section, but it is only conjecture, not reality. These verses are in second *Kāṇḍa* named ‘*Aranya Kāṇḍa*’ which is not first or last. It is also very interesting that many scholars gave many other excuses to an estimate the time of *Vālmīki*, but no one quoted these two verses that are the key-evidence to prove the existence of Buddha very before of *Vālmīki*.

## **2.2. Political Principles of *Rāmāyaṇa***

*Rāmāyaṇa* was a premier epic of a transition period when society was passing through two religious thoughts; Vedic and Non-Vedic (*Cārvāka*, *Buddhism*, *Jaina*, etc.). Sanskrit

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<sup>79</sup> . Śrīmadvālmīkiyārāmāyaṇam, Vol. 2, pp. 321-322

language and its knowledge system were also passing through a great transition. Now the period of Vedic language and literature was diverting into proverbial (*Laukika*) form. *Varṇāśrama* social system was accepted as the best social system by that time's social experts. But the influence of Buddhism already damaged the super-natural structure of society and shown the path of Equality at first time by avoiding all divinity regarding all parameters. Buddhism trended among common people and was equally attracting the rulers, warriors, scholars, and even the commercial communities also. A large number of communities accepted Buddhism and left the *Brahmanist* path, which was full of animal sacrificing rituals, heavy donations, and contributions from trade communities. Only two *Varṇa* (*Brāhmaṇa* and *kṣatriya*) were in fully profit position due to their upper position and profession. *Brāhmaṇa* was the scholar community which was bearing all type of knowledge tradition and *kṣatriya* community was dealing with political affairs, government, administration, warfare, etc. *Vaiśya* was the main community who was producing all resources for feeding the upper two *Varṇas*. *Śūdra* was newly added fourth *Varṇa* according to its position.

These were the circumstances when the great epic *Rāmāyaṇa* was composed. Entire study and structure of *Rāmāyaṇa* is concentrated on the social reform and preserving those norms, which were unique and according to Vedic principles like duties and responsibilities of the householder, head of the family, kingdom or state. Ethical values, moralities, highly and virtuous duties, Vedic aspects of politics like the importance of truth, justice, honesty. But overall, it was also a textual effort to propagate the Aryan civilization.

Time and political environment of *Rāmāyaṇa* were very mature. If we talk about the historic condition of this part of the South Asian region, there were many small and large kingdoms, and also they had their system of governance. Current North India was divided into sixteen *Mahājanapada* at the time of Lord Buddha. We find a lack of integrated governmental system at that time. It was also an interesting fact that there was also a lack of one governmental system. Some of them were following the democratic system, and some others were ruling themselves under a dynasty through a monarchial system of government. After that phase, the rise of Magadha as the strong kingdom made many changes. *Haryanka*

dynasty's king *Bimbisāra* was contemporaneous of Lord Buddha. His dynasty gave the strong base to *Magadha* kingdom, and *Chandragupta Maurya* made it first the largest kingdom of North India. After the decline of that great dynasty, a new phase of kingship taken place as the name of *Śuṅga* dynasty and *Puṣyamitra Śuṅga* became the first king of this dynasty. It was the turning point from the point of view of *Rāmāyaṇa*. Re-creation and reformation of Vedic political values restored once again with its full and something new influences.

The great epic *Rāmāyaṇa* was composed after Buddha but before starting of Christ Age. It was the time of transformation of every phase of human life and affairs like political, social, religious, economic, and development of a well established mature administrative government.

Governmental affairs well established at the time of *Rāmāyaṇa* and known as the famous name '*Rājadharmā*.' When *Bharata* went to *Citrakūṭa* and met his elder brother, he said, "I am still immature and I can't bear the significant responsibilities of *Rājadharmā*."<sup>80</sup> It means state and administration became a separate branch of knowledge, and *Bharata* was under the learning process of that knowledge.

He was immature in applied form of politics, or we can say, in operating the state and administration. Basics of Hindu politics were taking its mature way. Governmental affairs, kingship, warfare, and protection of *Varṇāśrama Dharma* became the responsibility of the second *Varṇa* called Kṣatriya, and it was also decided by birth position rather than profession or occupation, means only a *Kṣatriya* by birth can be the king.<sup>81</sup> *Rāmāyaṇa* is not a political epic, but politics is also a part. We will analyze political doctrines that are scattered in the entire epic.

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<sup>80</sup> . Rāmasya vacanaṃ śrutvā bhārataḥ pratyuvāca ha,  
Kiṃ me dharmādvihīnasya rājadharmāḥ kariṣyati. –Vālmīki Rāmāyaṇa, 2.101.1

<sup>81</sup> . Eṣa hi prathamō dharmāḥ kṣātriyasyābhiṣecanam,  
Yena śakyaṃ mahāprājña prajānāṃ paripālanam. –Vālmīki Rāmāyaṇa, 2.106.19

### 2.2.1. Nature of Government and State

As we discussed the conditions and circumstances at the era of the epic *Rāmāyaṇa*, in this section, we will see those values and facts in this text. The great kingdom of *Ikṣvāku* dynasty was covering a significant part of modern northern India. The capital of this kingdom was *Ayodhyā*. When the coronation of *Rāma* was going to happen, his stepmother *Kaikeyī* became angry. King *Daśaratha* was trying to persuade her and offered her to give any part of his largest territory. He said:

*Prācīnāḥ sindhusauvīrāḥ saurāṣṭrā dakṣiṇāpathāḥ,  
Vaṅgāṅgamagadhā matsyāḥ samṛddhāḥ kāśīkosalāḥ.  
Tatra jātaṃ bahudravyaṃ dhanadhānyamajāvīkam,  
Tato vṛṇīṣva kaikeyi yadyattvaṃ manasecchasi.<sup>82</sup>*

*Aṅga*, *Magadha*, *Matsya*, *Kāśī* and *Kośala* were first time mentioned in *Aṅguttara Nikāya*, the Buddhist Pali text and there are also referred other eleven *Mahājanapadas*. *Draviḍa*, *Sindhu*, *Sauvīra*, *Saurāṣṭra*, *Dakṣiṇāpatha*, *Vaṅga* (Bengal) were not mentioned in that Buddhist text. It also means when sixteen Major territories at the time of Buddha existed, *Daraviḍa* etc. were not recognized as the region known by contemporary Northern region people. However, these areas were became known after Buddha when the great epic *Rāmāyaṇa* was composed. There was the monarchial system of government at the time of *Rāmāyaṇa*. Here it is also mentionable that before *Vālmīki*, there were many democratic states where the elite families or council of ordinary people were governing their territories or state. But *Vālmīki* presented the ideal form of monarchial governance because it was according to Vedic tradition and kingship. Buddhist revolution not only affected the social system but also made the epochal changes in contemporary politics. Many states were adopting the democratic and council based governing system. In this situation, *Maharṣi Vālmīki* restored the high values and an ideal form of Vedic Governing system named kingship and re-established it by his great epic *Rāmāyaṇa*.

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<sup>82</sup> . Vālmīki Rāmāyaṇa, 2.10.37-38

### 2.2.2. *Rāmarājya* as an ideal welfare state

*Maharṣi Vālmīki* created a grand theory of *Rāmarājya*. It was the most significant contribution of this epic in the area of politics. *Rāmarājya* established as the highness of the ideal of Hindu Polity. Its doctrines were demarcated according to Vedic Kingship, and it was based on *Varṇāśrama* system of society. *Varṇa* system had based on birth position. The parameters of *Rāmarājya* were described by many scholars as follow:

*Na bālo mriyate tatra na yuvā na ca madhyamaḥ,  
Dharmaṇa śāsitaṃ sarvaṃ na ca bādhā vidhīyate.*<sup>83</sup>

Accidental death did not occur in *Rāmarājya*, the entire kingdom was governed according to the rule of law derived by great seers, and every citizen was following the path, there was no rebellion against the *Varṇāśrama* system. Here we can see the first parameter of good governance. Accidental death like hunger, poverty, deceased, displacement, lack of occupation, unequal distribution of resources should not occur in the state. These are the primary cause of accidental death. An ideal state should execute those planning which would be primarily accepted and for the betterment of mass at every stage and level. It was the first political principle described by the *Rāmāyaṇa*. The second political principle was the rule of law (*Dharma*). *Vālmīki* said that all people were governed, not by the king but by the Rule of Law that was created, described and derived by the great seers since Vedic period. The Primary rule of law was the *Varṇāśrama* system. The whole society was divided into four *Varṇa*: *Brāhmaṇa*, *kṣatriya*, *Vaiśya*, and *śūdra*. *Rāmāyaṇa* described the origin theory of these four *varṇa* as follow:

*Mukhato brāhmaṇā jātā urasaḥ kṣatriyāstathā,  
Urubhyāṃ jajñire vaiśyāḥ padbhyāṃ śūdrā iti śrutih.*<sup>84</sup>

*Maharṣi Vālmīki* followed the *Puruṣa sūkta* of *Ṛgveda* about the origin of four *Varṇa* (Hymn of *Puruṣa sūkta* have already been mentioned in the section of Vedic Polity). It was the fundamental reason for the adoption of '*Birth-based Varṇa system*' by the composer of

<sup>83</sup> . Saṃskṛtasūktisamuccayaḥ, Vol. 13, p. 192

<sup>84</sup> . Vālmīki Rāmāyaṇa, 3.14.30

*Rāmāyaṇa*. Work and occupation derived according to *Varṇa* position were followed by the people of *Rāmarājya* with no complaint or rebellion. People were very punctual about their *Varṇa* duties and also for those duties that were for the nation, state, and for the king. Second verse regarding *Rāmarājya* is:

*Nādhayo vyādhayaścaiva rāme rājyaṃ praśāsati,  
Pakvasasyā vasumatī sarvauśadhisamanvitā.<sup>85</sup>*

Society and people were very healthy, and no one was affected by any disease under the good governance of King *Rāma*. Crops were giving grain on their accurate time and condition. This is the second condition for the ideal state. People should be healthy, and they should not be suffered by any disease or physical problem, if the human resource would be ready to work hard, the state will grow itself with all its remarkable level of growth.

It should be the responsibility of state to provide full security and resources to farmers for better agricultural production. If the state will be alert and will protect the farmers, they will punctually produce the food and supplies. Agriculture is still our principal sector of production and our India, known as the ‘Agricultural Country’ on the global panel. This spirit was first time seen in *Rāmāyaṇa*. *Maharṣi Vālmīki* put it as the second and significant political principle of an ideal welfare state.

The third condition of an ideal state is that status which comes from all kind of goodness. Any state with any governmental system can gain this level of development only through all type of positive progress of its own. Favourable condition of climate, accurate time of rain and other seasons, availability of abundant food to all its citizens, healthy and robust workers and professionals and overall the peaceful atmosphere in all communities are the final qualification of an ideal state called ‘*Rāmarājya*’.<sup>86</sup>

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<sup>85</sup> . Saṃskṛtasūktisamuccayaḥ, Vol. 13, p. 192

<sup>86</sup> . Kāle varṣati parjanyaḥ subhikṣaṃ vimalā diśaḥ,

Hṛṣṭapuṣṭajanākīrṇaṃ puraṃ janapadāstathā.

—Vālmīki Rāmāyaṇa, 7.99.13

Above mentioned condition of state is called *Rāmarājya*. Though *Vālmīki* did not mention any particular system of governance for achieving these goals regarding this description, it is understood that these goals were ideally achieved only through a monarchical system of governance. To fulfill these goals, he generated the theories, doctrines, rules, and laws according to Vedic and post Vedic Hindu policy of state. *Rāmāyaṇa* is an epic based on family, society and nation interest and also focused on *Raghuvamśa*. Polity is here secondary, but the expansion of Aryan civilization, Aryan family rites and rituals, disciplines, moralities, and ethical values are widely described here. Duties and responsibilities of family members towards other members, the sacrifice of their interests for relatives are the highest virtues of this epic.

There are many places in *Rāmāyaṇa*, where we can find the political principles and well-established values of politics. Bharata firstly said that he is immature and political responsibilities '*Rājadharmā*' is very high, he cannot bear such obligation at this age.<sup>87</sup> '*Rājadharmā*' was established at the time of *Vālmīki*, and it was the duty derived for the ruler.

### 2.2.3. Ideal Society of *Rāmarājya*

It is the primary qualification for *Rāmarājya* that the society in this state should be based on the birth-based *varṇa* system. All people have to follow the path of *Varṇāśrama* system. People can choose any occupation, but they should be known by their Birth position in *varṇa*. An example seems in the second *Kāṇḍa* of *Rāmāyaṇa*. There was a *Brāhmaṇa* named *Trijaṭa*, and he had many children. He was very poor and feeding his family by some low-level occupation.<sup>88</sup> He was digging some wild root based foods for his family, but he had the *Brahmateja* (the divine power of *Brāhmaṇa*) like *Bhr̥gu* and *Aṅgīrasa*.<sup>89</sup> Therefore, he went

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<sup>87</sup> . Kiṃ me dharmādvihīnasya rājadharmāḥ kariṣyati?

—*Vālmīki Rāmāyaṇa*, 2.101.1

<sup>88</sup> . *Vālmīkiya Rāmāyaṇa*, 2.32.29

<sup>89</sup> . *Ibid*, 2.32.33



to *Rāma* for demanding something for his family.<sup>90</sup> Prince *Rāma* was ready to go for his fourteen-year exile from *Ayodhyā*, but he donated for *Trijata* and announced that all his wealth if for the *Brāhmaṇa* and he can easily donated his all things to this great *Varṇa*.<sup>91</sup> This story is indicating the importance of Birth-based *Varṇa* system. The *Ikṣvāku* dynasty had been strictly following this principle. All *varṇa* were engaged in their occupations and works as per their *Varṇa* position. Every *Varṇa* was always ready to obey the order of its upper *varṇa*, and they served their best:

*Kṣatram brahmanukham cāsīd vaiśyāḥ kṣatramanuvratāḥ,  
Śūdrāḥ svakarmaniratāstrīn varṇānupacāriṇaḥ.*<sup>92</sup>

Only *Brāhmaṇa Varṇa* was allowed to conduct the rituals and sacrifices. Others were unacceptable as the priest in society. Son of *Vaśiṣṭh* is fused to attend the *Yajña* of *Trisamku*, which was done by *Viśvāmitra* before his promotion from *Kṣatriya* to *Brāhmaṇa*.<sup>93</sup> But the highness and purity of *Brāhmaṇa* were also very important at that time. Only those *Brāhmaṇa* were worshipable, who were following the path of *Brāhmaṇatva* and were truthful, non-violent, well-wisher of all creatures.<sup>94</sup> Thus, the place and position of *Brāhmaṇa Varṇa* was supreme by their birth and a profession. Protection of citizens and suffering people, governmental affairs, warfare, and all works related to arms power reserved for the second *Varṇa* called *Kṣatriya*. It was the second strongest *Varṇa* among all fourth *Varṇa*. We can see this spirit in *Rāmāyaṇa* at its starting where King *Daśaratha*'s adolescent his elder son *Rāma*, was carried by *Viśvāmitra* for the protection of his rituals:

*Svaputram rājaśārdūla rāmaṃ satyaparākramam,  
Kākapakṣadharam śūram jyeṣṭham me dātumarhasi.*<sup>95</sup>

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<sup>90</sup> . Ibid, 2.32.34

<sup>91</sup> . Ibid, 2.32.42

<sup>92</sup> . Vālmīkīya Rāmāyaṇa, 1.6.19

<sup>93</sup> . Vālmīkīya Rāmāyaṇa, 1.59.13

<sup>94</sup> . Vālmīkīya Rāmāyaṇa, 7.73.7

<sup>95</sup> . Vālmīkīya Rāmāyaṇa, 1.19.8

*Kṣatriya* were also bonded strictly with their *Varṇa* based duty, and it was to protection of people and the state. *Rāma* clearly said to *Sītā* that a *Kṣatriya* could only hold the bow and arrow to ensure that no one should be in pain or suppression:

*Kintu vakṣyāmyahaṃ devi tvayaivoktamidaṃ vacaḥ,  
Kṣattriyairdhāryate cāpo nārtaśabdo bhavediti.*<sup>96</sup>

Two essential symbols of Aryan civilization were the Cow and the *Brāhmaṇa*. These were not only the symbol of culture but also holding a supreme place among society. The cow was very holly animal because of its importance in rituals, sacrifices, property, trade, and exchange, at the same time, *Brāhmaṇa* community was very important in the Aryan society because they were the mind of the whole society and also the voice of supreme God. Protection of both cow and *Brāhmaṇa* was the most significant responsibility of *Kṣatriya*:

*Gobrāhmaṇahitārthāya deśasyāsya sukhāya ca,  
Tava caivāprameyasya vacanaṃ karttumudyataḥ.*<sup>97</sup>

These two *Varṇa* had been established as the supreme protectors and bearers of the Aryan society. Other two *Varṇa*, *Vaiśya* and *Śūdra* were also mentioned, but *Vaiśya* got very few places in *Vālmīki Rāmāyaṇa*. Trade, markets and other commercial tasks described sporadically but there had not been mentioned a single name or story of *Vaiśya* man or community in whole *Rāmāyaṇa*.<sup>98</sup>

The story and circumstances of *Rāmāyaṇa* are showing that there was nothing wrong with the third *Varṇa*. That community was working with all its virtues and obeying its duty with full dedication according to their *Varṇa*. It may be the reason for *Vaiśya*'s ignorance. Fourth and Last *Varṇa* was *śūdra*, and it recently added in *Varṇa*-system. The condition and approach of first three *Varṇa* about *śūdra* were little transitive according to historians.<sup>99</sup>

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<sup>96</sup> . Vālmīkīya Rāmāyaṇa, 3.10.3

<sup>97</sup> . Vālmīkīya Rāmāyaṇa, 1.26.5

<sup>98</sup> . A Socio-Political Study of the Vālmīki Rāmāyaṇa, p. 22

<sup>99</sup> . Ancient India, R.C. Majumdar, p. 198

There are many internal shreds of evidence in *Rāmāyaṇa*, where we can easily see these transitive situations. Three most important and noticeable stories are mentionable here during the discussion about the condition of *śūdra*. All these are the sub-stories related to primary epical fable.

The first story located in *Ayodhyā Kāṇḍa* and it is related to the head of *Niṣāda* community whose birth occupation was fishing and boating. They were professional ferrymen, and the chief of that community was *Guha*.<sup>100</sup> He was very close to *Rāma* and *Vālmīki* presented him as a friend of the elder prince of King *Daśaratha*. Remarkably, *Guha* was *śūdra* by his *Varṇa* position, in spite of this, he was close to Lord *Rāma*, and *Rāma* treated him very smoothly and like his very close friend.<sup>101</sup> He was talking to *Rāma*, *Sītā*, and *Lakṣmaṇa* and offered *Lakṣmaṇa* to take some rest.<sup>102</sup> *Guha* comes in *Rāmāyaṇa* in the second *kāṇḍa*. It is also mentionable that *śūdra* were untouchable and they were not allowed to communicate with *Dvija varṇa*, they were only for the service for the first three *Varṇa*. Whereas, *Guha* was behaving differently as scholars criticize the author of *Rāmāyaṇa* for his social conception. The commentators gave the solution to this question and said:

*Na śūdrā bhagavadbhaktā viprā bhāgavatāḥ smṛtāḥ, Sarvavarṇeṣu te śūdrā ye hyabhaktā janārdane. Ityuktarītyā rāmabhakto'yamatyuttama eva guhasya bhagavatpriyatvam.*<sup>103</sup>

Though *śūdra* could not be close to God, a devotee (*Bhakta*) of God can achieve the congruence of his God. *Guha* was firstly a devotee (*Bhakta*) towards his God *Rāma*, and after that, he was *śūdra*. We can see the main cause of grace of Lord *Rāma* on *Guha*, the chief of *Niṣāda* community. He was very much obedient and faithful towards *Rāma* and also dedicated to his profession according to his *Varṇa* position. He was an honest follower of

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<sup>100</sup> . Vālmīki Rāmāyaṇa, 2.50.32

<sup>101</sup> . Vālmīki Rāmāyaṇa, 2.51

<sup>102</sup> . Vālmīki Rāmāyaṇa, 2.51.1-5

<sup>103</sup> . Commentary on Vālmīki Rāmāyaṇa, 2.50.32, p. 166

*Varṇa* system and was very accountable for his duty towards his clan, community, and state. That is why; *Rāma* gave him very much respect and accepted his hospitality.

The second story is located in 74<sup>th</sup> *Sarga* of *Araṇya Kāṇḍa*. It is about an anchoress named *Śabarī*. *Vālmīki* did not mention anything about her *Varṇa* or caste etc. When *Rāma* was passing through hermitage of sage *Mātāṅga* near the lake *Pampā*, the westward side of that hermitage, there was the wild residence of anchoress *Śabarī*.<sup>104</sup> *Rāma* visited the hermitage of *Śabarī* and accepted her hospitality with his brother *Lakṣmaṇa*. *Vālmīki* did not mention her clan, caste or *Varṇa* position, but he presented her as the *Siddhā*, *Tāpasī*, etc.<sup>105</sup>

The third incident about *śūdra* in *Rāmāyaṇa* located in *uttar kāṇḍa*. First two stories about lower *varṇa* or woman happened when *Rāma* was not the king, and he was moving out of his capital *Ayodhya*. That time he was not bearing any symbol of majesty, but he was just like a nomadic man. But when his anointment as the king took place, this incident happened. Everything was going well, but suddenly, one day, a *Brāhmaṇa* came to the court of *Rāma* with the dead body of his son and started crying. He blamed *Rāma* as the death-cause of his son.<sup>106</sup> King *Rāma* became worried very much and urgently called the meeting of his ministers, brothers and eight high holiness *Brāhmaṇa ṛṣi* with the family chaplain *Vaśiṣṭha*.<sup>107</sup> The other eight seers were *Mārkaṇḍeya*, *Maudgalya*, *Vāmadeva*, *Kāśyapa*, *Kātyāyana*, *Jābāli*, *Gautama*, and *Nārada*.<sup>108</sup> All seers discussed this severe problem because the sin of the murder of *Brāhmaṇa* was coming upon the King *Rāma*. *Nārada* informed that *Śūdra* is violating the rule of *Varṇadharmā* and doing austerity (*tapa*). That is

<sup>104</sup> . Tau puṣkarīnyāḥ pampāyāḥ tīram āsādyā paścimam,

Apāśyatām tataḥ tatra śabaryā ramyam āśramam.

–Vālmīki Rāmāyaṇa, 3.74.4

<sup>105</sup> . Rāmeṇa tāpasī pṛṣṭhā sā siddhā siddha sammatā,

Śaśaṃsa śabarī vṛddhā rāmāya prati avasthitā.

–Vālmīki Rāmāyaṇa, 3.74.10

<sup>106</sup> . Rāmasya duṣkṛtaṃ kiṃcinmahadasti na saṃśayaḥ,

Yathā hi viśayasthānāṃ bālānāṃ mṛtyurāgataḥ

–Vālmīki Rāmāyaṇa, 7.73.10

<sup>107</sup> . Vālmīki Rāmāyaṇa, 7.74.3

<sup>108</sup> . Mārkaṇḍeyo'tha maudgalyo vāmadevaśca kāśyapaḥ,

Kātyāyano'tha jābāliṅgautamo nāradaṣṭhā

–Vālmīki Rāmāyaṇa, 7.74.4

why; the son of *Brāhmaṇa* died.<sup>109</sup> He also guided King *Rāma* to fatally punish that *śūdra* and give back the life to the son of *Brāhmaṇa*.

King *Rāma* went to detect that *śūdra* who was preaching and doing sacrifice by violating his duty according to *Varṇadharmā*. King *Rāma* moved around by the *puṣpaka vimāna* with his all brothers. Finally, he found an ascetic who was absorbed in austerity. *Rāma* went to him and asked about his *varṇa*.<sup>110</sup> That seer introduced himself and told king *Rāma* that his name is *Śambūka* and his origin *varṇa* is *śūdra*.<sup>111</sup> King *Rāma* listened about him, without any delay, he raised his sword and quickly intersected his head from his body.<sup>112</sup>

These three stories about lower class people in *Rāmāyaṇa* are, reflecting the condition of the fourth *varṇa* in the time of *Vālmīki*. The first fable about the *Guha* is showing that *śūdra* who were dedicated to their *varṇa* based professions and were bearing their responsibility towards the society, they all were excellent and able for the honor given by the royal families. When king *Daśaratha* conducted the Yajña in first *sarga* of *Rāmāyaṇa*, he ordered his ministers and officers to invite all *varṇa* people in his rituals.<sup>113</sup> They all were such communities, who were following the *varṇa* system and were doing only those professions that were followed by their forefathers.

*Śabarī* was the female seer and living beside the hermitage of *Mātāṅga*. She had her place and jungle where she was living and doing the penance. Later many scholars said that she

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- <sup>109</sup> . Sa vai viṣayaparyante tava rājan mahātapāḥ,  
Adya tapyati durbddhistena bālavadhō hyayam. –Vālmīki Rāmāyaṇa, 7.74.27
- <sup>110</sup> . Brāhmaṇo vā'si bhadraṃ te kṣatriyo vā'si durjayah,  
Vaiśyastṛtīya varṇo vā śūdro vā satyavāgbhava. –Vālmīki Rāmāyaṇa, 7.75.18
- <sup>111</sup> . Śūdrayonyāṃ prasūto'smi śambuko nāma nāmataḥ,  
Devatvaṃ prārthaye rāma saśarīro mahāyaśaḥ. –Vālmīki Rāmāyaṇa, 7.76.2
- <sup>112</sup> . Bhāṣatastasya śūdrasya khaṅgaṃ suruciprabham,  
Niṣkṛṣya kośādvimalaṃ śiraścicchedaḥ rāghavaḥ. –Vālmīki Rāmāyaṇa, 7.76.4
- <sup>113</sup> . Dātavyam annam vidhivat satkṛtya na tu līlayā,  
Sarve varṇā yathā pūjāṃ prāpnuvanti susatkṛtāḥ –Vālmīki Rāmāyaṇa, 1.13.14

was a tribal woman and was also untouchable, but it is not mentioned in *Rāmāyaṇa* of *Vālmīki*. The author of *Rāmāyaṇa* quoted her in a very respectful manner and used *Siddhā*, *Tāpasī*, etc. terms for her. But it is hard to find that she was the lower class or tribal anchoress.

The third and very important story is a little controversial. Many scholars criticized *Vālmīki* for this story. Many scholars also said that entire *Uttar kāṇḍa* is not the creation of *Maharṣi Vālmīki*, and it is the implied version. It may be possible, but from the point of view of research, we find this fable within the texts of *Rāmāyaṇa* with all its seven chapters. It may be possible about its implying version, but it is indicating that *Varṇa* system had started taking its distorted form at the end.

In this social order of *Rāmāyaṇa*, the *varṇadharmā* (duty according to *varṇa*) was supreme, and every *varṇa* was strictly following this social order. It was widely accepted in that period, and state was responsible to execute the rule of *varṇa* system and make sure that all people of all *varṇa* are bearing their responsibility towards the society and state according to their *varṇa* position. It is very much possible that the last *kāṇḍa* of *Rāmāyaṇa* had added later, but there is no such evidence or internal reference regarding this point. Who added first and last *kāṇḍa* of *Rāmāyaṇa*, when it happened and how many scholars have done this, all these questions are only questions, no one has the answer, but *Rāmāyaṇa* with all its seven *kāṇḍa* is still before the folk. Modern scholars always refer to these chapters. Most of the time, *Rāmāyaṇa* seems incomplete itself without *Bāla* and *Uttar Kāṇḍa*. Reality is that currently, available *Rāmāyaṇa* is containing seven *sarga*. In this social structure, we will see the main administrative structure government of the state. *Rājadharmā* had come into existence at that time. Overall, this first epic of Sanskrit literature provided an ideal scale about the society and polity. *Varṇa* system had been accepted by all disciplines and *Vālmīki* only carried forward it.

#### **2.2.4. Governmental Structure in *Rāmāyaṇa***

The nature of government in *Rāmāyaṇa* was based on monarchy, where the king was the supreme power of the state. All governmental rights, powers, and moralities were consisting

within the kingship. We discussed the qualification of a king. Before we start analyzing the governmental structure of *Rāmāyaṇa*, it is anamnestic that *Rāmāyaṇa* is not a pure political text, but its politics is a part. This epic was created at that time when the religious, social, and political revolution made great changes in that contemporary society, and Hindu culture was passing through a very critical situation. *Rāmāyaṇa* restored the high values of Vedic culture by sermons about family, society, community, state, and other values according to Hindu civilization.

The main goal of this epic was to expense the Aryan culture in the southern region and to moderate the society according to *Varṇāśrama Dharma*. So, politics is secondary, but *Rāmāyaṇa* is full of great political doctrines, rules, regulations, moralities, and political ethics according to that time and system. *Bālakāṇḍa* starts with some curiosity of *Mahrṣi Vālmīkito Nārada* about a complete personality of human being, full of divine power and a spiritual character able to guide entire humanity.<sup>114</sup>

### 2.2.5. King and Kingship: Duties and qualities

It is observed that the main motto of the polity described in *Rāmāyaṇa* is to the protection of the objects, quick action on citizen's grievance and maintain the *varṇa* system strictly. For the protection of these doctrines, if the king has to abdicate the moral law, he should do it for the protection of both. There are two examples regarding this. First is; the killing of *Tāḍakā*. She was a giantess and was disturbing to *Viśvāmitra*, but when *Rāma* saw a woman in front of his weapon, he refused to attack her. *Viśvāmitra* exhorted him and told, "Killing of a woman is not a bad job, and atrocious behavior of a ruler is pardonable if he is doing this job for the protection of his object and the welfare of *varṇa* system."<sup>115</sup> The second example is about the life saving of son of a *Brāhmaṇa*, who had died due to *Śambūka*'s

<sup>114</sup> . Vālmīki Rāmāyaṇa, 1.1.2-5

<sup>115</sup> . Na hi te strī vadha kṛte ghrṇā kāryā narottama,  
Cātur varṇya hitārthām hi kartavyam rāja sūnunā.  
Nṛśaṃsam anṛśaṃsam vā prajā rakṣaṇa kāraṇāt,  
Pātakam vā sadoṣam vā kartavyam rakṣatā sadā.

violation of *Varṇa* system. This incident has already discussed in the previous section. When *Rāma* got the complaint from *Brāhmaṇa*, he acted quickly and did his job for the protection of the life of his son. These two are only, for example, cited here; entire epic is wadded with such incidents and stories.

*Nārada* replied to *Vālmīki* and told him about the introduction and qualities of *Rāma*, the elder son of *Daśaratha* and a great prince of *Ikṣvāku* dynasty.<sup>116</sup> *Nārada* widely described Prince *Rāma* in next 12 *śloka*. These all are the unique qualifications for a candidate who wish to be the king.<sup>117</sup> When the ministers, teachers, and citizen of *Ayodhyā* proposed the name of prince *Rāma* for the post of *Yuvarāja* and for the next king, *Daśaratha* asked about the status of his kingship either it failed or bad<sup>118</sup>? Then the minister, officials and common civilians replied to *Daśaratha*. They explained about the qualifications and qualities of *Rāma*. *Vālmīki* summarized these qualities in next 27 verses of second sarga of *Ayodhyā kāṇḍa*.

When the selection of Prince and King have finalized by all people, *Daśaratha* taught *Rāma* how to be an ideal king. An ideal king should permanently leave all kinds of direct and indirect greed, anger, and other addictions.<sup>119</sup> Such type of nature of a king makes the system corrupt and biased. If a king carries these bad qualities, he may be adherent. That is why; the ruler should go beyond from such kind of characteristics vulnerabilities. *Dāśaratha* suggested to *Rāma* that he should always keep happy to all his governing officials like ministers with all his citizens. He should always keep enough stock in his granary and even

<sup>116</sup> . Ikṣvākuvaṃśaprabhavo rāmo nāma janaiḥ śrutau,

Niyatātmā mahāvīryo dyutimāndhṛtimānvaśī.

–Vālmīki Rāmāyaṇa, 1.1.8

<sup>117</sup> . Vālmīki Rāmāyaṇa, 1.1.9-20

<sup>118</sup> . Bhavanto dṛṣṭumicchanti yuvarājaṃ mamātmajam,

Te tamūcurmahātmanaṃ pauraṅgānapadaiḥ saha.

–Vālmīki Rāmāyaṇa, 2.2.25

<sup>119</sup> . Kāmakrodhasamutthāni tyajethā vyasanāni ca,

Parokṣayā vartamāno vṛṭṭyā pratyakṣayā tathā.

–Vālmīki Rāmāyaṇa, 2.3.43



in his armory.<sup>120</sup> It is second but very important teaching for a ruler that he should make sure that his works and decisions are largely acceptable for almost all officials and ministers. It can only happen when the king or ruler take his decisions after discussion with his government officials and experts. A citizen could only be happy when the state planning and executions of schemes will be in its favor and for their welfare. Full stock in granary is for the internal feeding within the territory and for welfare of those who are living in the state of the king. Armory stock should also be strong to protect from external powers and enemies.

*Vālmīki* described the fourteen flaws of a king. These are; Godlessness, prevarication, connoption, inattention, delaying, oblivion of the wise, laziness, slavery of five sense organs, action without consultation of ministers, consultation with sick-minded people, incompleteness of pre-decided works, secret-revelation, failing to speak the positive and welfare speech, trying to achieve all goals from short-work.<sup>121</sup> A king should have full control over his all five sense organs, and he should use six tactics for the upbringing and protection of the state and objects.<sup>122</sup> A king should never be weak by his any characteristic or sense based weakness. Ruling over the state or kingdom is the biggest responsibility for a ruler, and it should be obeyed with full dedication and perseverance.

There are two other human agglomerations seen in *Rāmāyaṇa* epic beyond Aryans. Both have their territory. First was a community of the *Monkey* according to Epical story, but many scholars declared them as some tribal community, which was contemporaneous to *Vālmīki*. Others were the community of *Rākṣasa*. They also had their huge dynasty and state. They were very rich and were living in full luxurious, and materialistic life. According to *Rāmāyaṇā*, they were richer and advanced than Aryans. But they were not following the Aryan culture. So, *Vālmīki* tried to arrive among them by his great epic. Often we find the

<sup>120</sup> . Amātyaprabhṛtīḥ sarvāḥ prakṛtīścānurañjaya,

Koṣṭhāgārāyudhāgaraiḥ kṛtvā sannīcayān bahūn.

–Vālmīki Rāmāyaṇa, 2.3.44

<sup>121</sup> . Vālmīki Rāmāyaṇa, 2.100.65-67

<sup>122</sup> . Indriyāṇāṃ jayaṃ buddhyaṃ śāḍguṇyaṃ daivamānuṣam,

Kṛtyaṃ viṃśativargaṃ ca tathā prakṛtīmaṇḍalam.

–Vālmīki Rāmāyaṇa, 2.100.69

little about these two communities' polity, but there are some references where we can guess about their political mentality.

The political thought of Monkey community seems in *Kiṣkindhākāṇḍa* when *Rāma* killed the king of that kingdom *Vāli* the elder brother of *Sugrīva*. *Rāma* killed him sneakily by hiding himself. When *Vāli* knew about his killer, and also that he was *Rāma*, the elder prince of *Ayodhyā*, he said some very high political and ethical logic that reflected the political and ethical awareness of that community.

First of all, being seriously injured and lying down on the earth, he saw to his killer, he became shocked and said that *O Rāma!*, you are a great son of a king, you born in a very respectable and highly moral family, your's education is also very high and noble, then can such person kill another by hiding himself? What happened to these noble qualities?<sup>123</sup> He also said that abstemiousness, controlling will, forgiveness, consciousness towards duty, patience, truthfulness, stoutness, punishing to bad people are the great aptitudes for a king.<sup>124</sup>

*Vāli* spoke many things when he was injured. He also said that we are not civilized like you, but you are greater than me in any sphere of life. *Vālmīki* successfully arrived on that mental level, where he became able to be the voice and mind of those tribes which were often out of parameters of Aryan civilization. It also reflected from the story of *Vāli* that those people were unable to guess the other side of the circumstance. They only acted on first sight of the atmosphere. That is why; *Vāli* threw out his brother and finally killed by the arrows of *Rāma*.

The second incident of political awareness of *Rākṣasa* reflects in *Araṇya Kāṇḍa* when *Rāma* and *Lakṣmaṇa* insulted *Śūrpaṅakhā* and she ran away towards *Laṃkā*. She imprecated *Rāvaṇa* as much as she could do at that time and shown good and bad both aspects of polity

<sup>123</sup> . Tvam narādhipateḥ putraḥ prathitaḥ priya darśanaḥ,

Parāṇmukha vadham kṛtvā ko atra prāptaḥ tvayā guṇaḥ,

Yadahaṃ yuddha samrabdhaḥ tvat kṛte nidhanam gataḥ.

–Vālmīki Rāmāyaṇa, 4.17.16

<sup>124</sup> . Damaḥ śamaḥ kṣamā dharmo dhṛti satyam parākramaḥ,

Parthivānām guṇā rājan daṇḍaḥ ca apakāriṣu.

–Vālmīki Rāmāyaṇa, 4.17.19

in front of her brother. She also explained the qualities of a successful king during her complaint in front of her brother *Rāvaṇa*.

*Śūrpaṅkhā* was the sister of three brothers and among her brothers. Eldest brother was the victorious over all kingdoms, second was the strongest person at that time, and third was highly faithful towards morality and ethics. The logic of *Śūparṇakhā* reflects her intellectual level and knowledge about polity. Thirty-third *Sarga* of *Aranyakāṇḍa* is only the speech of *Śūparṇakhā*. She said that if a king who is careless about his objects and always absorbed in fruition luxurious life with women, and other materialistic things, that king becomes forgotten by his citizens as people forget the crematory fire.<sup>125</sup> By this logic, she commoved *Rāvaṇa* and inflamed his anger. It was said by her in anger, but it applies to every ruler of any era. If a ruler is careless about his citizens, state and their affairs and only advantaging luxuries provided by the state by their invaluable resources, all resources become waste, will power and progress of the state become corrupt, and finally, that state or dynasty can be declined.

Defining the term '*Cāracākṣuṣa*,' *Śūrpaṅkhā* is saying, "A king, who has a full and continuous observation to all his governmental affairs by the sharp sight of detectives, that king called *Cāracākṣuṣa*."<sup>126</sup> This *śloka* is describing the importance of spy-system for the welfare of the state. King only knows the realities of his state and system by his trusted spy-network. There is no rule or morality about the stability of a dynasty. The strong elite warriors always try to pull back or destroy the dynasty to establish themselves as the ruler. That is why; a king had always been conscious and alert regarding this danger. Spies were the perfect solution to this problem. As *Śūrpaṅkhā* said about this fact, it is also reflecting that the use of the spy system was not very common at the time of *Vālmīki*. But it is also remarkable that ruling families and people were fully aware and conscious about their

<sup>125</sup> . Saktam grāmyeṣu bhogeṣu kāma vṛttam mahīpatim,

Lubdham na bahu manyante śmaśāna agnim iva prajāḥ.

–Vālmīki Rāmāyaṇa, 3.33.3

<sup>126</sup> . Yasmāt paśyanti dūrasthān sarvān arthān narādhipāḥ,

Cāreṇa tasmāt ucyante rājāno dīrgha cakṣuṣāḥ.

–Vālmīki Rāmāyaṇa,3.33.10

security. *Śūrpaṇakhā* also said at a place that *Rāvaṇa* has no spy network, but she said this in her angry mood. There are many references about his spy network and names of detectives.

A failed ruler is that ruler, who is very barbarous, miser, haughty, pretentious and full of ego, that king always left by his well-wishers at his bad time and situation.<sup>127</sup> So, a ruler should always avoid such kind of nature and behavior. He should always be well-conducted and full with a generous heart. He should never be biased or sectarian about his state, citizens, or even the family. *Rāma* had three mothers, and he equally respected his mothers and never distinguished between his mother and stepmothers. *Kaikeyī*, the third mother of *Rāma*, was respected him more than her son *Bharata*. It is the best example of the munificence of a ruler.

*Śūrpaṇakhā* not only said about failed and bad king but also praised the successful kings and described the qualities of good kings. A ruler is always respected and praised who has wakefulness while sleeping and he always sees the circumstances and conditions through his diplomatic eyes; a ruler is always good if his anger and pleasure seems according to condition and never goes waste.<sup>128</sup>

Above mentioned, two people were a different race from Aryans, but the second incident took place when *Śūrpaṇakhā* was in full anger. Such type of another incident seemed in *Kiṣkindhākāṇḍa* when *Sugrīva* regained his kingdom. He returned to his capital and forgot his promise, which was given by him to *Rāma* about search operation of his lost wife, *Sīta*. *Lakṣmaṇa* became very angry on him and directly met to *Sugrīva* and scandalized him with harsh words. *Lakṣmaṇa* also said about good and bad aspects of kingship at that time just like we saw in saying of *Śūrpaṇakhā*. The king who is full of great and good virtuous

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<sup>127</sup> . Tīkṣṇam alpa pradātāram pramattam garvitam śaṭham,

Vyasane sarva bhūtāni na abhidhāvanti pārthivam.

–Vālmīki Rāmāyaṇa,3.33.15

<sup>128</sup> . Nayanābhyām prasupto vā jāgarti naya cakṣuṣā,

Vyakta krodha prasādaḥ ca sa rājā pūjyate janaiḥ.

–Vālmīki Rāmāyaṇa,3.33.21

mentality, aristocratical, gracious, senses conquered faithful and follower of the path of truth; is the king accepted by the folk.<sup>129</sup> Objurgating to *Sugrīva*, *Lakṣmaṇa* rigorously talked him and reminded him about the killing of his elder brother *Vāli*. In these conversations of characters of *Rāmāyaṇa*, we can easily see the maturity and principles of the polity of that time. *Mahraṣi Vālmīki* described it successfully.

### 2.2.6. Philosophy of *Daṇḍa* according to *Rāmāyaṇa*

*Daṇḍa* (use of force or punishment for improvement in human behavior and maintain the social order) is a medium to control those objects, which people violate the rule of law of the state. *Daṇḍanīti* is a separate branch of knowledge within the polity. *Kauṭilya* counted *Daṇḍanīti* within four *Vidyā*. *Śukranīti* accepted that *Daṇḍanīti* is only a *Vidyā* because it preserves all other knowledge. *Vālmīki* concentrated on *daṇḍa vidhāna* (system of punishment) and established some principles for proper and reasonable use of punishment. It is also remarkable that there is no theory about punishment, but we see the applied form of punishment. Context is when *Rāma* attacked him by hiding himself. *Vāli* was at death's door and asked *Rāma* about the justification of his murder. In this location of the story, *Rāma* justified his position about his killing and gave reasonable facts to protect his position. First logic about *daṇḍa* was given by *Rāma* that the sinner who conducts a serious crime like violating the natural law or the law created for Social order by the supreme father; and he punished by the king or Law of Manu, erase all his sins and make him innocent. It means a criminal can be once again good and innocent after undergo through the punishment given by the state. Such people also become able to achieve heaven after their death. That is why, the punishment, according to Law and justice, make a man clean.<sup>130</sup> According to *Rāma*, *Vāli* violated both the natural law and also the law of society. That is why; he was punishable.

<sup>129</sup> . Sattva abhijana sampannaḥ sa anukrośo jitendriyaḥ,

Kṛtajñāḥ satya vādī ca rājā loke mahīyate.

–Vālmīki Rāmāyaṇa, 4.34.7

<sup>130</sup> . Rājabhiḥ dhṛta daṇḍāḥ ca kṛtvā pāpāni mānavāḥ,

Nirmalāḥ svargam āyānti santaḥ sukṛtino yathā.

–Vālmīki Rāmāyaṇa, 4.18.32

Another doctrine regarding *Daṇḍa* is that a ruler has must to punish those people who are sinners or criminals. The only punishment is allowed not mercy for a criminal. If he forgives to such kind of people, the ruler or king will face that sin, which was done by the criminal. Impunity of a criminal is prohibited. If the King will not punish the guilty objects, he will lose his all good fruits of good works and will be fall in the sin that was done by the accused.<sup>131</sup> When *Māndhātā* gave the safe-conduct to a *Śramaṇa*, (*Buddhist* or *Jaina* Monk)<sup>132</sup> the *Śramaṇa* got his life but *Māndhātā* got punishment from God and suffered very much.<sup>133</sup>

These are the duties, responsibilities, and ethics for a King, according to *Rāmāyaṇa*. The king was strictly bond with the Law. Though the king was the supreme commander of the army and was also the root of all power of governance, he was not independent about his duties and governing the nation. He was bond with his *Rājadharmā* and also with *Varṇadharmā*. Somewhere it also came into focus that morality and ethics of common life were also violated by the prince and king, but they did it only for the preservation of *Varṇa*-system and for the sake of the kingdom. When *Rāma* refused to kill *Tāḍakā*, but *Viśvāmitra* provoked him by this logic. It means the supreme principle of polity was to protection of state and social system at any cost. If a king would take the path of immorality and the circumstances to become to kill a woman or disarmed person, king should punish the culprits. *Daṇḍa* system was also rigorous at that time.

There was no sympathy for accused. If he or she violated the rule of law, the punishment was indispensable for him/her. Those people got their life that surrendered and corrected their mischief. We find such an example in *Sundarakāṇḍa* where the ocean was forgotten by Lord *Rāma* and returned his arrow from the bow. Protection of *Brāhmaṇa* and cow was the

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<sup>131</sup> . Śāsanādvā vimokṣādvā stenah steyādvimucyate,

Rājā tvaśāsanyāyasya tadavāpnoti kilviṣam.

–Vālmīki Rāmāyaṇa, 4.18.33

<sup>132</sup> . Caturvedī Dwārakā Prasāda Śarmā, Śrīmadvālmīki-Rāmāyaṇa, 1927: Vol. 5, p. 172

<sup>133</sup> . Āryeṇa mama māndhātrā vyasanaṃ ghoramīpsitam,

Śramaṇena kṛte pāpe yathā pāpaṃ kṛtaṃ tvayā.

–Vālmīki Rāmāyaṇa, 4.18.34

supreme duty of a *kṣatriya king*. After these two elements, common object and citizens were protected by the state. The logic behind this theory may be that *Brāhmaṇa* was the intellectual community, and also they were priest and propagators of religion, duty, ethics, and moralities. King *Rāma* called an emergency meeting of *Brāhmaṇas* for the solution of the serious problem of the death of a *Brāhmaṇa*'s son.

The cow was a holly animal due to the high utility level and its usage in any sphere of the society. Cow milk products were used in rituals and sacrifices, and the male was used in agricultural and commercial purposes. Overall Cow and *Brāhmaṇa* were holy symbols of Aryan culture. It was the primer cause of their importance. It is the position of Kingship in *Rāmāyaṇā*, now let us see other elements of the government.

### **2.2.7. The Ministers in *Rāmāyaṇa***

Second but most important component of the contemporary government was the council of ministers. We find basically three terms for this post in *Rāmāyaṇa*: *Mantrī*, *Saciva* and *Āmātya*.<sup>134</sup> *Āmātya Sumantra* was the trusted and superior minister among others. He is several times referred in entire *Rāmāyaṇa*. Duties, responsibilities, ethics and many things are described in widely in *Rāmāyaṇa*. Let us see some important examples and ideology:

### **2.2.8. Characteristics of Ministers**

The study of *Rāmāyaṇa* shows the importance of this post. *Rāmāyaṇa*'s story and its main aim is not politics, but it is society and culture, duty and ethics, but it is a story of *Kṣatriya* Dynasty so the politics and political doctrines are planted in its core. We will see the expansion of the great political ideas of *Maharṣi Vālmīki* in later traditions, but when this story was formed, as per the demand of time and condition, the writer sketched a very great and divine atmosphere through his creation of this epic.

Ministers were the second line of governance. They were responsible for execution of all plans and ideas of kings. They were also responsible for assemble the royal family. It was very important and sensitive post from its origin. *Dharmaśāstra* seems very strict for the

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<sup>134</sup> . Saṃskṛta Sāhitya ka Vṛhad Itihāsa, Vol. 3, p. 202

qualifications and selection process of ministers. We shall see this discussion in the next chapter. Here in *Rāmāyaṇa*, we find the little citation about ministers and their duties less than King.

Seventh sarga of *Bālakāṇḍa* dedicated to Ministers of King *Daśaratha*. There were eight ministers in the cabinet of King *Daśaratha*, and all were very glorious, honest, and always dedicated to bear the responsibilities of the kingdom.<sup>135</sup> Name of those ministers was, *Dhṛṣṭi*, *Jayanta*, *Vijaya*, *Siddhārtha*, *Arthasādhaka*, *Aśoka*, *Mantrapāla*, and *Sumantra*.<sup>136</sup> In addition to these ministers, there were some high intellectual *Brāhmaṇa* in the court of *Daśaratha*. They were bearing two responsibilities. First of all, they were family preceptors for rituals and sacrifices. They were appointed for this work for conduction of all type of *Yajña*. Second responsibility was the work as the ministers. Name of these royal family preceptors was *Vaśiṣṭha* and *Vāmadeva*.<sup>137</sup>

Ministers of King *Daśaratha* have very high qualities. They were well-educated, rich, ingenious, work efficient, jittery, mutually faithful to each other, expert in policy making, well-experienced, wealthy, positive thinkers, knower of the essence of all knowledge, great warriors, well alerted, always on cautioned, quick executors of governmental orders, committed for their commitments, stunning, signifiers of pleasant and positive sentences.<sup>138</sup>

They were very aware of their citizens and also alert for neighbor kingdom's citizens' behavior and mentality because they always observe the entire state by their well-established spy network.<sup>139</sup> Ministers of *Daśaratha* were very expert in catching human behavior. They were very humbled by their nature and behaviour. They have a very unbiased vision and

<sup>135</sup> . Vālmīki Rāmāyaṇa, 1.7.2

<sup>136</sup> . Dhṛṣṭirjayanto vijayaḥ siddhārtho hyarthasādhakaḥ,

Aśoko mantrapālaśca sumantraścāṣṭamo'bhavat.

–Vālmīki Rāmāyaṇa, 1.7.3

<sup>137</sup> . Ṛtvijau dvābhimatau tasyāstāmṛṣisattamau

Vaśiṣṭho vāmadevaśca mantriṇaśca ca tathāpare.

–Vālmīki Rāmāyaṇa, 1.7.4

<sup>138</sup> . Vālmīki Rāmāyaṇa, 1.7.7

<sup>139</sup> . Ibid, 1.7.8



thinking. They equally treat their accused son and others.<sup>140</sup> They all were expert in armed and economic affairs.<sup>141</sup> The council of the cabinet of *Daśaratha* was well mature and expert in Polity and political affairs also.<sup>142</sup> Administration under their observation was very strict, and people were very conscious about their duties. The rule of law was totally in its enforce mode, that is why; there was zero appearance of a chaotic element in the entire kingdom, and the state was operating with peace and harmony.<sup>143</sup> Ministers were dealing with all secretariat affairs, and all were also expert in foreign affairs like *Sandhi-Vigraha*.<sup>144</sup>

These were the qualities and characteristics described in 8<sup>th</sup> *sarga* of *Bālakāṇḍa*. Here, we should mind some facts: first, there was no departmental distinction in the cabinet during the early period of *Rāmāyaṇa*. Second, all ministers were dealing with all areas and affairs of the state. It was the king who appoints any minister on any particular work or mission. Ministers were not equal; *Sumantra* was head minister among all other ministers.<sup>145</sup> He was very close to King *Daśaratha* and also to later kings like *Bharata* and *Rāma*. Ministers were fully dedicated towards the king, his family, and for the state. They were doing both, the plan making and its execution. Means the spirit of legislature and executive was located in the cabinet of ministers. It was the Aryan structure of governance.

There are some other examples and incidents related to ministers in *Rāmāyaṇa*. *Rāvaṇa* and *Vibhīṣaṇa* also described the qualities of good, honest, and dedicated ministers. *Śūparṇakhā* did comeuppance *Rāvaṇa* after her insult. Then *Rāvaṇa* came to *Mārīca* and convinced him for revenge. He gave many excuses and tried to involve *Mārīca* in his planning. In this context, *Rāvaṇa* deciphered him about the honest, dedicated, well-wisher minister. He said that a minister should always reply with full modesty and graciously only when his king asks

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<sup>140</sup> . Ibid, 1.7.9

<sup>141</sup> . Ibid, 1.7.10

<sup>142</sup> . Vālmiki Rāmāyaṇa, 1.7.11

<sup>143</sup> . Ibid, 1.7.13-14

<sup>144</sup> . Ibid, 1.7.17

<sup>145</sup> . Vālmiki Rāmāyaṇa, 1.8.4

him for it.<sup>146</sup> It means *Mārīca* was the trusted *Āmātya* (minister) of king *Rāvaṇa*, and he was appointed somewhere as the observer. *Mārīca* was not presented in the court of *Rāvaṇa* when *Śūrpaṇakhā* went there. It proves that *saciva* or *āmātya* were also used for the state as a spy and other forms by the king as per their requirement. *Rāvaṇa* corrected to *Mārīca* for his rude language that a minister should always be humble, debonair, and soft-tongued and always speak auspicious for his king.<sup>147</sup>

*Vibhīṣaṇa* was the youngest brother of *Rāvaṇa*, and he was very kind-hearted and also sympathizer of Aryan culture. He was a peaceful man. When *Rāvaṇa* and his ministers were planning to fight against *Rāma*, and they all were taking the arrogant path, he tried to caution them. *Rāvaṇa*, his younger brother *Kumbhakarṇa*, his son *Indrajīta* and all his commanders the proposal of war, and everybody was provoking *Rāvaṇa* for a fight. When all official and commanders put their resolutions and ideas, *Vibhīṣaṇa* once again tried to convey them to choose the path of agreement and peace. Expostulating to *Rāvaṇa*, his younger brother *Vibhīṣaṇa* decoded the characteristics of best ministers. He said, “After knowing the real power and strength of the army of the enemy and that of his own, after minding the place, condition and impairment of both sides, who exactly gives the perfect and beneficial advice to his king; that is the best minister.<sup>148</sup> These are the principles and doctrines for a minister. The ministerial council was the pillar of government at that time. It was always important in every era or governing system. We saw the first appearance of polity in Vedic councils named *Sabhā* and *Samiti*. In the later Vedic period, the origin of kingship and its power replaced council. But it became the advisory committee, executive council and as the council

<sup>146</sup> . Sampr̥ṣṭena tu vaktavyaṃ sacivena vipaścitā,

Udyatāñjalīnā rājñe ya icchedbhūtimātmanaḥ.

–Vālmīki Rāmāyaṇa, 3.40.9

<sup>147</sup> . Vākyaṃ pratikūlaṃ tu mṛdupūrvam hitam śubham,

Upacāreṇa yuktaṃ ca vaktavyo vasudhādhipaḥ.

–Vālmīki Rāmāyaṇa, 3.40.10

<sup>148</sup> . Parasya vīryam svabalaṃ ca buddhvā

Sthānam kṣayam caiva tathaiva vṛddhim,

Tathā svapakṣe'pyanumṛṣya buddhyā

Vadetksamaṃ svāmihitam ca mantrī.

–Vālmīki Rāmāyaṇa, 6.14.21

of army-commanders at warfare. In *Rāmāyaṇa*, every aspect of ministerial council proved its importance and place in politics and governance.

### **2.2.9. Prince: the Next-King**

A third important component in the monarchy was the heir-apparent, and that was the first son of the king. It was also a relevant post in the monarchical system. Selection of king in this system was based on birth position. Most of the time, eldest son of the king was the first pretender for the post of next-king. So his training, upbringing, education and all things were very considerable and special. King invested every resource for making them strong, warrior, intellectual, faithful, ethical, and overall, a human just like God. Princes were the next kings, and this theory was very common, as a platitude.

Most powerful contender of this post was the first son of the king. Though it was a hereditary post, and no one had the right to challenge this system. But before the final selection, it was deeply discussed in the court of the king in front of all governmental officials. There were many children and princes of a king. In this situation, it was also important to examine them by their intellect, administrative power, political awareness, kindness, and other many aspects were discussed in open court proceedings. We find the example for this rule, in *Rāmāyaṇa*. When king *Daśaratha* thought about his next generation and also his age, he called a meeting of great intellectuals, *Brāhmaṇa*, ministers, and other chiefs and asked them about the next king of *Kosala*. Permission, consent, and largely acceptance of the prince among official bearers and ministers were compulsory for a prince to be the next king.

In *Ayodhyākāṇḍa*, when Rāma left *Ayodhyā* for fourteen years, and *Daśaratha* had died, *Ayodhā* became kingless for a moment. It was a very critical situation for the entire *Kosala*. *Bharata*, the third son of *Daśaratha*, was living in his maternal home at *Rājagṛaha* at that time. *Vasiṣṭha* called him urgently. When he came to *Ayodhā* and knew all circumstances, he became angry and chided his mother by saying that only the eldest son of the king can be the next king. All other younger sons work under him by his orders. At least the *Ikṣvāku*

dynasty has strictly been following this great rule of kingship since its existence.<sup>149</sup> How could you violate this rule? Why you did not think about the rule of Law and Dharmasāstra, or you are illiterate about the *Dharmasāstra* and the rule of the dynasty?<sup>150</sup>

Though the selection of the next king and the post of the prince were hereditary, before the appointment of a prince as the king, his common acceptance among citizens, the council of ministers, commanders, and *Brāhmaṇa* was compulsory. The present king who was willing to hand over his kingship to the next generation, it was compulsory for him to call the largest meeting of all components of the government for this purpose. Discussion on the proposal of next king was not only a formality but also an important phase in the process of selection of the next king. *Daśaratha* also followed this rule and called convocation. All participating people and officials approved the name of *Rāma* for the *Yuvarāja* (the next king). They also told their desire to king *Daśaratha* and said we want to see *Rāma* to the next king of the *Kosala* and we all are approving this decision.<sup>151</sup> Devolution of power in the monarchy was like this. It was the generally approved rule of law. It was not only followed by the Aryan people, but also by *Rākṣasa* and *Vānara* dynasties. When *Lakṣmaṇa* killed *Indrajīta*, *Rāma* said that now *Indrajīta* is dead means *Rāvaṇa* has dead.<sup>152</sup> Here the sense is indicating the mentality by observing this rule of governmental devolution.

But this context, it is also mentionable that the selection of next king was not in the hands of the present king, but it was decided by the council of ministers, experts, *Brāhmaṇas* and by

<sup>149</sup> . Asimnkule hi pūrveṣāṃ jyeṣṭho rājye'bhīcyate,

Apare bhrātarastasminpravartante samāhitāḥ.

–Vālmīki Rāmāyaṇa, 2.73.20

<sup>150</sup> . Na hi manye nṛṣaṃse tvaṃ rājadharmamavekṣase,

Gatiṃ vā na vijānāsi rājavṛttasya śāśvatīm.

–Vālmīki Rāmāyaṇa, 2.73.21

<sup>151</sup> . Taṃ devadevopamamātmajaṃ te

Sarvasya lokasya hitaṃ niviṣṭam,

Hitāya naḥ kṣipramudārajuṣṭam

Mudābhiṣektuṃ varada tvamarhasi.

–Vālmīki Rāmāyaṇa, 2.2.54

<sup>152</sup> . Kṛtaṃ paramakalyāṇaṃ karma duṣkarakarmaṇā,

Adya manye hate putre rāvaṃ nihataṃ yudhi.

–Vālmīki Rāmāyaṇa, 6.92.13

the common people of the state. After a public gathering, the next king was decided. Public acceptance of the next king was important. When the elder son of king *Sagara* found guilty in this context, the king threw him out forever from his kingdom, because he was behaving like a demon for his citizens.<sup>153</sup>

Sons of the king were the candidates for the next kingship, but the elder son was the first, and it was the rule. The upbringing and education of that prince were well shaped, and all concern about his education was focused on his upcoming responsibilities. These three components were the main elements of the governance, according to *Rāmāyaṇa*.

A canvas of the *Rāmāyaṇa* fable focused on *Ikṣvāku* dynasty, which was created by *Maharṣi Vālmīki*. Its political theories and ideas seem like the bridge between Vedic and later Vedic political culture in contemporary northern India. Kingship started dominating over the entire governmental system, but the existence and importance of the councils were fighting for its existence. *Rāma* is known as the best character of this epic only by his family based qualities. He was an ideal son, very good brother, husband, and many more. Political ideas of *Vālmīki* provided a parameter to the contemporary states, and that is known as the “*Rāmarājya*” an ideal monarchical governmental state.

Emphasize on the protection of Cow and *Brāhmaṇa* showing that these two were losing their importance in that society and *Vālmīki* successfully protected both symbolic foundations of Aryan civilization. *Rāmāyaṇa*'s main predicate was the victory of Aryan culture over *Rākṣasa* civilization. *Vālmīki* dilated the Aryan civilization in the southern region by his great epic.

Another important fact reflected during this study. That was the great socio-political combination created by the Aryan sociologists and politicians. They formed a unique social system that was very much favorable for the birth based monarchical system of governance.

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<sup>153</sup> . Paurāṇāmahite yuktaḥ putro nirvāsitaḥ purāt,

Tasya putromśumānnāma asamañjasya vīryavān.

–Vālmīki Rāmāyaṇa, 1.48.22

Duties of all *Varṇa* according to their birth position, were already fixed. The king had only responsibility to observe this system and correct it by stopping its violation. We seemed this spirit in the case of *Śambūka*. But those who were dedicated for it, they were apparent for the king. It appeared in the case of *Niṣādarāja Guha*.

The concept of *Rāmarājya* is very relevant even today in the atmosphere of democracy. *Rāma* and his dynasty were very much dedicated to that social and political system. If the current system follows the spirit of devotion towards current democratic constitutional governance, we can easily achieve those goals, which were elaborated in the preamble of the constitution. Dedication, worry about the last man of the state, honor of intellectuals, full-faith on the given political system, are the basic political principles which reflected in this study. After *Rāmāyaṇa*, these principles had taken place in *Māhābhārata* with more expansion and systematically.

### 3. *Mahābhārata*: Apogee of Political Principles

The largest text, containing with all spheres of knowledge<sup>154</sup>, all code of conducts, ethics, moralities, and behavior of human life,<sup>155</sup> an extraordinary work of *Kṛṣṇa Dvaipāyana Vyāsa*<sup>156</sup> is called the '*Mahābhārata*.' It came into existence after the great epic *Rāmāyaṇa*.<sup>157</sup> Many scholars derive its time, not by historical facts but by non-historic secondary stories and prefabricated bases. That is why; the chronological debate about *Mahābhārata* is much disputed. The inner sources of this Epic prove its chronological location after *Rāmāyaṇa*. *Ācārya Baladeva Upādhyāya* proved that it was created after

<sup>154</sup> . Arthaśāstramidaṃ proktaṃ dharmāśāstramidaṃ mahat,

Kāmaśāstramidaṃ proktaṃ vyāsenāmitabuddhinā.

–Mahābhārata, 1.2.383

<sup>155</sup> . Dharme cārthe ca kāme ca mokṣe ca bhāratarṣabha,

Yadihāsti tadanyatra yannehāsti na kvacit.

–Mahābhārata, 1.62.53

<sup>156</sup> . Tribhirvarṣaridaṃ pūrṇa kṛṣṇadvaipāyanaḥ prabhuḥ

Akhilaṃ bhārataṃ vedaṃ cakāra bhagavān muniḥ

–Mahābhārata, 1.62.41-42

<sup>157</sup> . Saṃskṛta Sāhitya kā Vṛhad Itihāsa, Vol. 3, p. 436

*Rāmāyaṇa* and *Kṛṣṇa Dvaipāyana Vyāsa* was well-knower of *Rāmāyaṇa* story.<sup>158</sup> Some scholars seem very confused, and they did not establish their conception about the period of these both epics.<sup>159</sup> All scholars have accepted the existence of story of *Rāmāyaṇa* in *Mahābhārata*<sup>160</sup>, but the story or characters of *Mahābhārata* are disappeared in *Rāmāyaṇa*. When *Pāṇḍavas* went for exile and left *Hastināpura*, the great seer *Mārkaṇḍeya* met them and said, “Your’s fatality of exile reminded me about the exile of *Rāma*, the son of King *Daśaratha*. He also left his luxurious life, taken his bow with a younger brother, and accepted the exile by order of his father, *Daśaratha*.”<sup>161</sup>

That is why; according to the available evidence and internal sources of both Epics, this work will go ahead by accepting this fact that *Mahābhārata* came into existence after the creation of *Rāmāyaṇa*. It is also very much possible that the origin and development of *Mahābhārata* had taken place from a very earlier time. But it established itself by the name of “*Mahābhārata*” very after to *Vālmīki Rāmāyaṇa*.

*Mahābhārata* is an ocean where all kinds of knowledge find its entirety. It is full of unlimited stories related to characters and historical personalities. Fables related to the birth of seers, kings, princes and dynasties, several forms of governments like kingship, monarchy, republics, council based governance, all types of ethics like individual ethics, family ethics, community ethics, political ethics, war ethics, warfare, duties according to *Varṇa* and *āśrama*, central, state and local governance, rule for rulers (*Rājadharmā*, *Daṇḍanīti* etc.), and all things are widely described in this great epic. But as per the requirement of this research, we will study only the political principles, governmental structure, ethics like; political, governmental, family, community and war; duties of the rulers and citizens, and some more selective and useful phenomenon will be observed from *Mahābhārata*.

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<sup>158</sup> . Ibid, pp. 377-380

<sup>159</sup> . The Cultural Heritage of India, Vol. 5, pp.60-61

<sup>160</sup> . Rāmopākhyānaparva in *Mahābhārata*, Vanaparva, Chapter, 273 to 292.

<sup>161</sup> . Tavāpadam tvadya samīkṣya rāmaṃ, satyavratam dāśarathim smarāmi.

Sa cāpi rājā saha lakṣmaṇena, vane nivāsam pitreva śāsanāt.

Dhanvī caran pārtha mayaiva dr̥ṣṭo, gireḥ purā ṛṣyamūkasya sānau.

–Mahābhārata, 3.25.8-9

### 3.1. Introduction to *Mahābhārata*

Almost scholars said that it was not composed by one hand or one time. *Mahābhārata* was composed in several periods of times. *Kṛṣṇa Dvaipāyana Vyāsa* completed its creation by expending the Vedic knowledge. The inner sources and information of *Mahābhārata* answered to the name of its author *Vyāsa*. *Vyāsa* was born by *Ṛṣi Parāśara* and adoptive daughter of a fisherman called *Satyavatī*. His mother was born from the womb of fish, but that fish was an *Apsarā* of heaven, and she fell from heaven and became a fish. She ingested the sperm of King *Uparicara*.<sup>162</sup> Thus, *Maharṣi Vyāsa* had a noble and elite birth from both mother and father side. *Vyāsa* was born on the island (*Dvīpa*) of river *Yamuna* by the great seer *Parāśara* and daughter of *Uparicara* called *Satyavatī*. That is why; he is known as “*Dvaipāyana*.”<sup>163</sup> It was only on the mind of *Vyāsa* at that time and called ‘*Itihāsa*.’<sup>164</sup> *Vyāsa* called his creation ‘*Kāvya*’ in front of *Brahmā*.<sup>165</sup> When *Brahmā* replied to *Vyāsa*, he said very first that you called it ‘*Kāvya*’ by your tongue, so yours creation will be famous as the ‘*Kāvya*’ in this folk.<sup>166</sup> *Brahmā* suggested that *Vyāsa* should call *Gaṇeśa* and ask him for its scripting.<sup>167</sup> When he called *Gaṇeśa*, and he came, *Vyāsa* told him that he composed a text called ‘*Bhārata*’ in his mind and now I request you for its scripting.<sup>168</sup> When *Gaṇeśa* finished scripting, and it came into existence as the most significant text ever as *Brahmā* forecasted, Then finally it became famous in the folk as “*Mahābhārata*.”

<sup>162</sup> . Mahābhārata, 1.63.49-70

<sup>163</sup> . Evaṃ dvaipāyano jajñe satyavatyaṃ parāśarāt,

Nyasto dvīpe sa yad bālastasmād dvaipāyanaḥsmṛtaḥ.

–Mahābhārata, 1.63.86

<sup>164</sup> . Tapasā brahmacaryeṇa vyasya vedaṃ sanātanam,

Itihāsamimaṃ cakre puṇyaṃ satyavatīsutaḥ.

–Mahābhārata, 1.1.54

<sup>165</sup> . Uvāca sa mahātejā brahmāṇaṃ parameṣṭhinam,

Kṛtaṃ mayedaṃ bhagavan kāvyaṃ paramapūjitaṃ.

–Mahābhārata, 1.1.61

<sup>166</sup> . Janmaprabhṛti satyāṃ te vedmi gāṃ brahmavādinīm,

Tvayā ca kāvyamityuktaṃ tasmāt kāvyaṃ bhaviṣyati.

–Mahābhārata, 1.1.72

<sup>167</sup> . Kāvyaṃ lekhanārthāya gaṇeśaḥ smaryatāṃ mune

–Mahābhārata, 1.1.74

<sup>168</sup> . Lekhako bhāratasyāsa bhava tvam gaṇanāyaka,

Mayaiva procyamānasya manasā kalpitasya ca.

–Mahābhārata, 1.1.77



There are three major sub-creations exist within *Mahābhārata*. These are the chapters of this text but got separated later as an independent text, and all are very famous and has a respectable place in the tradition of Sanskrit literature. First is *Viduranīti*, which is located in *Udyoga Parva* of *Mahābhārata*. *Viduranīti* located from Chapter 33 to 40 of *Udyoga Parva*. Composition of 8 chapters later got separation and got fame by this name. Second and most important text from *Mahābhārata* is *Śrīmadbhagvadgītā*. It is located in *Bhīṣma Parva* from chapter No. 25 to 42. The '*Jambūkhaṇḍavinirmāṇa Parva*' (creation of *Jambū* sub-continent) also exist in this Parva from chapter No. 1 to 10. Chapters from 290 to 298 of *Śānti Parva* of *Mahābhārata* known as "*Parāśaragītā*."

Study of *Mahābhārata* provides us some remarkable information related to this research. There are a total of three major and big diversions in entire *Mahābhārata*, where we find a lot of knowledge about the polity. These are; the *Udyoga Parva*, *Bhīṣma Parva*, and *Śānti Parva*. *Udyoga parva* is containing the *Viduranīti*, *Bhīṣma parva* incorporated the *Śrīmadbhagvadgītā* and *Śānti Parva* is a trove of political philosophy, political theory, political ethics and morality, structure of state and government, political doctrines, war-ethics, warfare and other many circumstances related to polity, sociology, culture is deeply described in this historical work done by *Maharṣi Kṛṣṇa Dvaipāyana Vyāsa*. It seems at first sight of *Mahābhārata*, but it is also mentionable that there is no limitation of political discussion only in these chapters, but other many political references and discussion have scattered in almost in entire *Mahābhārata*.

### **3.2. Society and Social customs in *Mahābhārata***

The chronological location of *Mahābhārata* is debatable. Scholars have their views about the period of this epic. The previous discussion proved that it was created after the great Epic *Rāmāyaṇa*. Study of *Mahābhārata* and its atmosphere will prove this fact. Political, social, religious, believes, lifestyle, ethics, and an overall special type of maturity in every sphere of *Mahābhārata* showing its later location than *Rāmāyaṇa*. Sociology of *Rāmāyaṇa* and *Mahābhārata* is not quite different, but the evolution in society and social customs can easily see from *Rāmāyaṇa* to *Mahābhārata*.

### 3.2.1. Origin theory of *Varṇa-System*

There are two theories about the origin of *Varṇa-system* in *Mahābhārata*. First is according to *Puruṣa Sūkta* of *Rgveda*.<sup>169</sup> A dialogue between *Purūravā* and *Vāyu* regarding this matter taken place in *Mahābhārata* located in *Śānti Parva*. That chapter is about to find out an able *Brāhmaṇa* for suggestions and consultation to the king. While having this dialogue, *Vāyu* told king *Purūravā* that *Brāhmaṇa* originated from the mouth of Supreme God called *Brahmā*, *Kṣatriya* originated from the arms of *Brahmā* and *Vaiśya* originated from the thigh of supreme God.<sup>170</sup> Three *varṇa* were originated at a time respectively, after the origin of above three *varṇa*, *Brahmā* created the *Śūdra* at very last for the service of the upper three *varṇa*. *Śūdra* originated from the feet of *Brahmā*.<sup>171</sup> This conception based on the theory or *Puruṣa Sūkta* of *Rgveda*. The same conception about the origin of *Varṇa* system described at another place also.<sup>172</sup> *Mahābhārata* believes in the *Rgvedic* theory of sociology but also provide the next step of this theory, and it is the second theory of *Varṇa* system. According to this theory, the fundamental character of *Kṣatriyahood* manifested from the great quality called *Brahmā*.

#### 3.2.1.1. *Brāhmaṇa*: First and supreme *varṇa*

*Brāhmaṇa* is the cause of origination of *Kṣatriyas*.<sup>173</sup> That is why, if *Kṣatriya* tries to fight against *Brāhmaṇa*, their strength will automatically get loose in front of *Brāhmaṇa*. Fire,

<sup>169</sup> . *Rgveda*, 10.90.12

<sup>170</sup> . *Brāhmaṇo mukhataḥ sṛṣṭo brahmaṇo rājasattamam,*  
*Bāhubhymām kṣatriyaḥ sṛṣṭa urubhyām vaiśya eva ca.* –*Mahābhārata*, 12.72.4

<sup>171</sup> . *Varṇānām paricaryārthaṃ trayāṇām bharatarṣabha,*  
*Varṇāscaturthaḥ paścāt tu padbhyām śūdro vinirmitaḥ.* –*Mahābhārata*, 12.72.5

<sup>172</sup> . *Vaktrād bhujābhyāmūrubhyām padbhyām caivātha jajñire,*  
*Sṛjataḥ prajāpaterlokāniti dharmavido viduḥ.* –*Mahābhārata*, 12.296.6

<sup>173</sup> . *Kṣatriyasyātivṛttasya brāhmaṇeṣu viśeṣataḥ,*  
*Brahmaiva saṃniyanṭṛ syāt kṣatram hi brahmasambhavam.* –*Mahābhārata*, 12.78.21

*Kṣatriya*, and iron are born from water, *Brāhmaṇa*, and gabbro gradually.<sup>174</sup> Another example of this theory seems in the same parva of *Mahābhārata* where *Kṣatriya*, *Atiratha*, *Ambaṣṭha*, *Ugra*, *Vaideha*, *Śvapāka*, *Pulkasa*, *Stena*, *Niṣāda*, *Sūta*, *Māgadha*, *Ayoga*, *Karaṇa*, *Vrātya*, and *Cāṇḍāla*— etc. communities had originated from the auspicious and inauspicious relations with other and same community *Varṇa*.<sup>175</sup>

Society of *Māhābhārata* was based on *Varṇāśrama* System. The supremacy of *Brāhmaṇa* *Varṇa* taken place with more strength. Only that *Brāhmaṇa* was real *Brāhmaṇa*, who has full control of his speech, who always speaks the truth.<sup>176</sup>

It was the importance of *Brāhmaṇa*. This first *Varṇa* had many powers, autonomies, and it was the dominating community in every sphere of the society and polity. *Mahābhārata* is full of this virtue and superiority of the *Brāhmaṇa* community. *Brāhmaṇa*'s supreme duty was to conduct the sacrifices (*Yajña*), teaching and learning of Veda and other schools of knowledge, and taking donation (*Dāna*).<sup>177</sup> *Mahābhārata* also described the character of an ideal *Brāhmaṇa* in *Vanaparva*.

According to *Mahābhārata*, this community was originated from *Brāhmaṇa* *Varṇa*.<sup>178</sup> *Paraśurāma* killed entire *Kṣatriya* varṇa at 21 times and completely abolished them. The *Kṣatriya* women sheltered to male *Brāhmaṇa* for parturition children and restructured their

<sup>174</sup> . Adbhyo'gnirbrahmataḥ kṣatramaśmano lohamutthitam,

Teṣāṃ sarvatragaṃ tejaḥ svāsu yoniṣu sāmyati.

—Mahābhārata, 12.78.22

<sup>175</sup> . Kṣatriyātirathāmbaṣṭhā ugrā vaidehakāstathā,

Śvapākāḥ pulkasāḥ stenā niṣādāḥ sūtamāgadhāḥ.

Ayogāḥ karaṇā vrātyāścāṇḍālāśca narādhipa,

Ete caturbhyo jāyante vai parasparāt

—Mahābhārata, 12.296.8-9

<sup>176</sup> . Prāhurvāksaṃyataṃ vipraṃ dharmanaipuṇadarśinaḥ,

Mitreṣu yaśca viṣamastena ityeva taṃ viduḥ.

—Mahābhārata, 14.58.12

<sup>177</sup> . Yājanādhyāpanaṃ vipre dharmāścaiva pratigrahaḥ.

—Mahābhārata, 3.150.35

<sup>178</sup> . Mahābhārata, Ādiparva, Chapter, 64.

community.<sup>179</sup> Thousands of *Kṣatriya* women got pregnant by abstinent and ascetic *Brāhmaṇas*. Warrior and gallant *Kṣatriya* children re-procreated by *Brāhmaṇas* and the proper functioning of *Varṇa*-system and society started once again in the great leadership of *Brāhmaṇa*.<sup>180</sup> This conception was also confirmed by *Vidura* in *Udyogaparva*. He said that fire, *kṣatriya*, and iron were born respectively from water, *Brāhmaṇa* and stone. That is why; all these elements become unruffled when they meet with their origin elements.<sup>181</sup>

This mythological fable has no historical facts, but it is showing the complexion between *Brāhmaṇa* and *Kṣatriya Varṇa*. The hyper-evolution circumstance between these two leading *Varṇas* would have arisen. It is also showing that both had fought with each other for claiming their superiority.

*Brāhmaṇa* succeeded to maintain their superiority among all other *Varṇas*. Finally, *Kṣatriyas* surrendered in front of *Brāhmaṇa* and accepted their supremacy and started obeying their *Varṇa* duty guided by the *Brāhmaṇas*. But it would not have a bad deal because all powers were centralized between these two *varṇas*. Intellectual, spiritual, philosophical, sacrificial, and society-leading power had centralized within *Brāhmaṇa Varṇa*. *Kṣatriya* got all administrative, governmental, warfare, discipline-making power in the society. This mutual contract and understanding created a very favorable atmosphere for both of the

<sup>179</sup> . Triḥsaptaḥkṛtvāḥ pṛthivīm kṛtvā niḥkṣatriyām purā,

Jāmadagnyastapastepe mahendre parvatottame.

Tadā niḥkṣatriye loke bhārgaveṇa kṛte sati,

Brāhmaṇān kṣatriyā rājan sutārthinyo'bhicakramuḥ.

–Mahābhārata, 1.64.4-5

<sup>180</sup> . Tebhyaśca lebhire garbhe kṣatriyāstāḥ sahasraśaḥ,

Tataḥ suṣuvire rājan kṣatriyān vīryavattarān.

Kumārāṃśca kumārīśca punaḥ kṣatrābhivṛddhaye,

Evaṃ tad brāhmaṇaiḥ kṣatram kṣatriyāsu tapasvibhiḥ.

Jātaṃ vṛddhaṃ ca dharmeṇa sudīrghenāyusānvitam,

Catvāro'pi tato varṇā babhūvurbrahmaṇottarāḥ

–Mahābhārata, 1.64.7-9

<sup>181</sup> . Adbhyo'gnirbrahmataḥ kṣatramaśmano lohamutthitam,

Teṣāṃ sarvatragam tejaḥ svāsu yoniṣu sāmyati.

–Mahābhārata, 5.38.13-13.5

*Varṇas*, and it became perfect combination to rule over Indian sub-continent. *Mahābhārata* indicated about this co-ordination of *Brāhmaṇa* and *Kṣatriya*. The first exile of *Pāṇḍava* provided them friendly companionship with *Brāhmaṇas*. Both were living in the forest and practicing their *Varṇadharmā*. *Brāhmaṇa* was chanting, and *Pāṇḍava*'s bows were noising by shooting with arrows. Both voices were adultering together, just like the grand unification of *Brāhmaṇahood* and *Kṣatriyahood*.<sup>182</sup>

Son of *Dalbha (Baka)* met to *Yudhiṣṭhira* widely described the co-operation of *Brāhmaṇa* and *Kṣatriya* and warned him about the disaster that could take place if both *Varṇa* would go against each other.<sup>183</sup> *Baka* said metaphorically that as an elephant is useless in battle without mahout, *Kṣatriya* is useless (in the battle of society, nation, etc.) without guidance from *Brāhmaṇa*.<sup>184</sup> *Brāhmaṇas* have high-level intellectual power, and *Kṣatriyas* have immeasurable (physical) strength; when these two powers work together, all objects (society, state, etc.) become happy.<sup>185</sup>

Such kind of many examples and conceptions described by the seer *Baka* in the forest with *Yudhiṣṭhira*. *Mahābhārata* is indicating about the conflict and fight between *Brāhmaṇa* and *Kṣatriya*, and this epic successfully gave the solution to erase the conflict. Composer of *Mahābhārata* distributed the power carefully and provided equal importance to both of them. We have seen that there were many seers in Vedic period who were *Kṣatriya* by birth, but they got *Brāhmaṇahood* by their super intellect and power. That is why; superiority complex had continuously been walking since the Vedic period, and it became a major challenge in the later Vedic era. *Paraśurāma* made the earth free from *kṣatriya* warriors at

<sup>182</sup> . Jyāghoṣaścaiva pārthānām brahmaghoṣaśca dhīmatām,

    Saṃsṛṣṭam brahmaṇā kṣatram bhūya eva vyarocata.

    –Mahābhārata, 3.26.4

<sup>183</sup> . Mahābhārata, 3.26

<sup>184</sup> . Kuñjarasyeva saṃgrāme pariṅghyāṅkuśagraham,

    Brāhmaṇairviprahīṇasya kṣatriyasya kṣīyate balam.

    –Mahābhārata, 3.26.15

<sup>185</sup> . Brāhmaṇyanupamā dṛṣṭiḥ kṣātramapatimam balam,

    Tau yadā caratam sārḍham tadā lokah prasīdati.

    –Mahābhārata, 3.26.16

twenty-one times. Finally, this war of predominance became over with a permanent compromisation, and both got their importance. This formula proved itself very effective, and combination of *Brāhmaṇa* and *Kṣatriya* ruled over the Indian sub-continent till the invasion of Britishers.

This socio-political formula was common for many centuries in ancient India's history. There were many small and large kingdoms, but most of them had adopted *Varṇa* system as their backbone of society and *Kṣatriya* were bearing the governing responsibility in the guidance of *Brāhmaṇa*.

### 3.2.1.2. *Dharma (Duty) of Kṣatriya*

This community had been formed in the Vedic period for the protection of property and people of Vedic society, armed responsibility. Warfare was their primary occupation. This spirit became the base of evaluation of this *Varṇa* and *Mahābhārata* gave the responsibility of government, administration, protection, social-ordering, and warfare as we have seen in the previous section during the debate of reciprocity of *Brāhmaṇa* and *Kṣatriya*. We will study here about the duties of *Kṣatriya* according to *Mahābhārata*.

Fundamental *Dharma* of a *Kṣatriya* is 'bravery,' and he should protect the objects and rule on the state with stoutness. If he will obsecrate in front of others and behave like a *Brāhmaṇa* mendicant, it is strictly prohibited for a *Kṣatriya*.<sup>186</sup> A *Kṣatriya* can never behave like a *Brāhmaṇa* because *Brāhmaṇa's dharma* is to take and give a donation, but *Kṣatriya* can't beg or obsecrate. He only gives by his arm and sword. A *Kṣatriya* neither beg nor serve to society like *Vaiśya* or *Śūdra* by doing agriculture, cattle breeding, and service under others. Armory and courageousness are only his supreme duties.<sup>187</sup> Duty of protection of citizen of the state was the supreme duty was destined for a *kṣatriya*. It is his eternal duty or *Dharma*.

<sup>186</sup> . Pratisiddhā hi te yāñcyā yathā siddhyati vai dvijaḥ,

Tejasaivārthalipsāyām yatasva ṣṣarṣabha.

–Mahābhārata, 3.33.50

<sup>187</sup> . Bhaikṣyacaryā na vihitā na ca viṣṣūdrajīvikā,

Kṣatriyasya viṣeṣeṇa dharmastu balamaurasam.

–Mahābhārata, 3.33.51

Hieratic results from the protection of objects are only acceptable for him.<sup>188</sup> There is a little indication about the duties of a *kṣatriya* in Vanaparva. These excerpt facts were described by *Bhīmasena* to *Yudhiṣṭhira*. It was clear that *Kṣatriya* were strictly bounded with their *Varṇadharmā* like *Brāhmaṇa*.

When *Bhīmasena* went to *Saugandhika* Forest for collecting the flowers, *Hanumāna* met him and taught about *Dharma*, *Vidyā*, social custom and duties of four *Varṇas*. He also described the importance of social customs and duties. If the citizens of the state will not obey their *Varṇadharmā*, that is ordered them by the Vedas; the entire arrangement of society will have disordered, and state will fall in anarchy and lost its sovereignty.<sup>189</sup> That is why; all *dvija* have to follow all those rules and norms. Truth is the supreme duty and habit for all *dvija*, and that is the soul of *Dharma*. *Yajña* (sacrifice), *Svādhyāya* (the study of accredited disciplines according to *Varṇa* position), and *Dāna* (donation) are the three common duties for all *Dvija*.<sup>190</sup> In this conversation, *Hanumāna* described duties of all four *Varṇa* as per their position and rank. Duty of *kṣatriya* is to obey the duty of protection of all objects, and people from enemies and evil habits. *Kṣatriya* should always stay strictly on his duty, and should always be kindhearted and discreet.<sup>191</sup>

It was the importance, responsibility, and duties for *kṣatriya*. *Vidura* was the *Pāraśava* (son of *Brāhmaṇa* father and *Śūdrā* mother), but he was an intellectual and well-wisher of *Kuru* dynasty, he also described the duties of all *varṇas*. Duties for *kṣatriya*, according to *Vidura*,

<sup>188</sup> . Prajāpālanasambhūtaṃ phalaṃ tava na garhitam,

Eṣa te vihito rājan dhātrā dharmāḥ sanātanaḥ.

–Mahābhārata, 3.33.55

<sup>189</sup> . Sā ced dharmakṛtā na syāt trayīdharmamṛte bhuvī,

Daṇḍanītimṛte cāpi nirmaryādamidam bhavet.

–Mahābhārata, 3.150.32

<sup>190</sup> . Dvijātīnāmṛtaṃ dharmo hyekaścaivaikalakṣaṇaḥ,

Yajñādhyayanadānāni trayāḥ sādharmaṇāḥ smṛtāḥ.

–Mahābhārata, 3.150.34

<sup>191</sup> . Kṣatradharmo'tra kaunteya tava dharmo'tra rakṣaṇam,

Svadharmam pratipadyasva vinīto niyatendriyaḥ.

–Mahābhārata, 3.150.37

is to study Vedas, conduct the sacrifices (*Yajña*), fosterage of citizens, and finally immolation of his own for the protection of cow and *Brāhmaṇa* (if needed).<sup>192</sup>

Arjuna also expostulated about the duties and *kṣatriya* to *Yudhiṣṭhira* when he won the *Mahābhārata* battle and was denying the kingship and was ready to leave all responsibilities. Arjuna said there are two basic duties for a *kṣatriya*. First is to sacrifice oneself in battle and second is to rule over the state and protect the objects. If a *kṣatriya* get death on the battleground for the protection of truth, honesty, justice, and his state, it is his supreme *Yajña* (sacrifice), and it is greater than multitudinous sacrifices conducted by *Brāhmaṇa*.<sup>193</sup> Abdication, penance, subsistence from other resources are not for *kṣatriyas*.<sup>194</sup>

There are many other sources about the *kṣatriya-dharma* (duties of *kṣatriya*) described in *Mahābhārata*. We can see the importance and domination of *kṣatriya* at that society in these references mentioned above. *Kṣatriya* were not only dominated among other *varṇa* but also had been bearing great responsibility of ruling the nation and protection of citizens and other objects from internal and external enemies. In modern time, there is separate sovereignty of each small or large nation, and no one can capture illegally any neighbor state. Now, we have international forums and institutions like the United Nations, its Security Council (UNSC), Peace Army (UNPA), and many other global organizations who always forbid strong nation from such activities. But at the ancient time, there was no forum like this and every state was fighting with neighbor state or facing the foreign invasion and attacks. In this situation, the importance of arms and army was very undeniable. The sovereignty of the

<sup>192</sup> . Adhītya vedān parisamṭīrya cāgnī,

Niṣṭvā yajñaiḥ pālayitvā prajāśca.

Gobrāhmaṇārthe śastrapūtāntarātmā,

Hataḥ saṃgrāme kṣatriyaḥ svargameti.

–Mahābhārata, 5.40.26

<sup>193</sup> . Kṣatriyāṇaṃ mahārāja saṃgrāme nidhanaṃ matam,

Viśiṣṭaṃ bahubhīryajñaiḥ kṣatradharmamanusmara.

–Mahābhārata, 12.22.3

<sup>194</sup> . Na tyāgo na punaryajño na tapo manujeśvara,

Kṣatriyasya vidhīyante na parasyopajīvanam.

–Mahābhārata, 12.22.7



state was only protected by the sword of the *Kṣatriya* in Indian sub-continent. It was basic reason which made *Kṣatriya Varṇa* very important and also expected them to bear this responsibility.

### 3.2.1.3. *Vaiśya*: Feeder of all communities

It was the third and very important community of society. *Vaiśya* means the community who had the responsibility to feed every *Varṇa* by its agricultural, commercial, livestock breeding, and other professions. Works, duties, and other social conducts of *Vaiśya* is widely described in *Mahābhārata*.

When Brahmā created the universe and four varṇa from his parts, He divided duties among all. He given the responsibility of food protection of all communities to *Vaiśya*. Brhmā created the society and gave the order to *Vaiśya* to feed all three remaining communities as per the order of *Varṇadharmā*.<sup>195</sup>

*Hanumāna* described the duties of all four varṇa in *Vanaparva* of *Mahābhārata*. According to him, sacrifice and teaching are major occupation (*dharma*) of *Brāhmaṇa*. *Pālana* means protection of all living and non-living objects is the fundamental duty of *Kṣatriya* while *Poṣaṇa* means feeding (food and other necessary things like milk product, meet, instruments for daily uses and all commercial objects, etc.) the society was the fundamental duty of *Vaiśya*.<sup>196</sup> *Paṭhana-pāṭhana* (study and teaching), *pālana* (protection) and *poṣaṇa* (nursing) fixed duties for *Brāhmaṇa*, *Kṣatriya*, and *Vaiśya*, respectively. It is also a very interesting fact that there were a few references about duties of *Vaiśya*. Rules and duties of *Vaiśya* had described just after *Brāhmaṇa* and *kṣatriya* at the same verse almost everywhere in *Mahābhārata*. Hence, rules and duties for *Śūdra* seem separately described in many places. *Vidura* was telling various norms of behavior to *Dhṛtarāṣṭra* in *Udyoga Parva*. He was telling about the achievement of heaven after death. For *Vaiśya*, he said that “After a study

<sup>195</sup> . Vaiśyastu dhanadhānyena trīṇ varṇān vidhryādīmān,  
Śūdro hyetān paricarediti brahmānuśāsanam.

–Mahābhārata, 12.72.8

<sup>196</sup> . Yājanādhyāpanaṃ vipre dharmāścaiva pratigrahaḥ,  
Pālanaṃ kṣatriyāṇāṃ vai vaiśyadharmāśca poṣaṇam.

–Mahābhārata, 3.150.35

of Vedas and other disciplines of knowledge, if a vaiśya donate the money for *Brāhmaṇa*, *Kṣatriya* and dependent people; and if he conducts the rituals on accurate time, he achieves the heaven after his death.<sup>197</sup>

Animal husbandry projected at the prime occupation of *Vaiśya* in *Śāntiparva*. If a *Vaiśya* takes any other occupation for his livelihood, it is not good for him.<sup>198</sup> *Vaiśya* have to bring the animals of his own and other animals on rent basis. The annual salary for caring six milch cows was to take all milk of a cow for his use for the entire year. If a *Vaiśya* cares hundreds of cows, his payment is that he can take a cow and calf permanently.<sup>199</sup> However, *Vaiśya* was counted as *Dvija*, and that community also had a very great responsibility for feeding food for all four *Varṇa*, but this community was put with *Śūdra* at several places in *Mahābhārata*.<sup>200</sup>

### 3.2.1.4. *Śūdra*: Labour, Worker, and Servant of *Dvija*

*Śūdras* was for the service to first three *Varṇa* (*dvija*), and the only service was the path of emancipation for *Śūdra*.<sup>201</sup> It was the last community, and as previously mentioned fact, it had been added in the *Varṇa*-system at the end of socialization. It was an excluded community from mainstream society. Nursing, service, and labourhood of upper three communities were the main occupations of *Śūdra*. Begging, sacrifice, worship, etc. were prohibited for those *Śūdras* who were serving for upper three communities.<sup>202</sup> A *Śūdra* could

<sup>197</sup> . Vaiśyo'dhītya brāhmaṇān kṣatriyāṃśca, dhanaiḥ kāle samvibhajyāśritāṃśca.

Tretāpūtaṃ dhūmamāghrāya puṇyaṃ, pretya svarge divyasukhāni bhukte. –Mahābhārata, 5.40.27

<sup>198</sup> . Piṭṛvat pālayed vaiśyo yuktaḥ sarvān paśūniha,

Vikarma tadbhavedanyat karma yat sa samācaret. –Mahābhārata, 12.60.22

<sup>199</sup> . Ṣaṇṇāmekāṃ pibed dhenuṃ śatācca mithunaṃ haret,

Labdhācca saptamaṃ bhāgaṃ tathā śṛṅge tasyopajīvanam. –Mahābhārata, 12.60.25

<sup>200</sup> . Vaiśyastu dhanadhānyena trīn varṇān vidhṛyādīmān

Śūdro hyetān paricarediti brahmānuśāsanam. –Mahābhārata, 12.72.8

<sup>201</sup> . Brahma kṣatraṃ vaiśyavarṇe ca śūdraḥ krameṇaitān nyāyataḥ pūjayānaḥ,

Tuṣṭeṣveteṣvavyatho dagdhapāpastyaktvā dehaṃ svargasukhāni bhukte. –Mahābhārata, 5.40.28

<sup>202</sup> . Śūsṛuṣā ca dvijātīnāṃ śūdrāṇāṃ dharmā ucyate,

have been eligible to achieving the heaven, but his way of emancipation was going via service of all upper three varṇas respectively with pure and greediness heart. He should never think about any desire. The only service of *Brāhmaṇa*, *Kṣatriya*, and *Vaiśya* was his first and last desire. Service with full dedication was only the way of his emancipation and gaining heaven.<sup>203</sup>

There was no property right for *Śūdra*. The movable or immovable property was prohibited for this community. Mahābhārata gave the logic for this provision, “Money consolidation by a *Śūdra* is sinful to act, and he will restrain the upper *varṇa* people after getting the wealth.”<sup>204</sup> There is no life without money, food and things and collection of all these things were prohibited for *Śūdra*. In this situation, the *Mahābhārata* ordered to upper three *varṇa* to provide life-saving substances for him. *Brāhmaṇa*, *Kṣatriya*, and *vaiśya* should feed their waste and useless things like umbrella, headgear, stick, shoes, and fans, etc. to *Śūdra* because *Śūdra* is defensible by *Dvija*.<sup>205</sup> Only these things were his actual property. *Mahābhārata* says these things as the “*Dharmadhanam*” of *Śūdra*.<sup>206</sup> A faithful and honest *Śūdra* should never leave his master even in the worst condition. He should conduct the final rituals of his master if he has no family. If his master becomes devout and gets trouble to carry his own life, *Śūdra* should feed his master by the remaining sources from his family.<sup>207</sup> These provisions for *Śūdra* were described by *Bhīṣma*.

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- Bhaiṣyāhomavratāirhīnāstathaiṣa guruvāsītāḥ. –Mahābhārata, 3.150.36
- <sup>203</sup> . Brahmaṁśatraṁ vaiśyavarṇe ca śūdraḥ krameṇaitān nyāyataḥ pūjayānaḥ,  
Tuṣṭeṣveteṣvavyatho dagdhapāpastyaktvā dehaṁ svargasukhāni bhuṅkte. –Mahābhārata, 5.40.28
- <sup>204</sup> . Saṁcayāṁśca na kurvīta jātu śūdraḥ kathamcana,  
Pāpīyān hi dhanam labdhvā vaśe kuryād garīyasaḥ. –Mahābhārata, 12.60.30
- <sup>205</sup> . Avaśyam bharaṇīyo hi varṇānām śūdra ucyaṭe,  
Chatraṁ veṣṭanamauśīramupānad vyajanāni ca.  
Yātayāmāni deyaṇi śūdrāya paricāriṇe, –Mahābhārata, 12.60.32-33.
- <sup>206</sup> . Ibid, 12.60.34
- <sup>207</sup> . Deyaḥ piṇḍo'napatyāya bhartavyo vṛddhadurbalo.  
Śūdreṇa tu na hātavyo bhartā kasyāñcidāpadi,  
Atirekeṇa bhartavyo bhartā dravyaparikṣaye. –Mahābhārata, 12.60.35-36.

Nursing of *Dvija* (*Brāhmaṇa*, *Kṣatriya*, and *Vaiśya*) is an eternal source of livelihood for a *Śūdra*. *Brāhmaṇa* can choose the occupation of *Kṣatriya* and *Vaiśya* if he is incapable of feeding his family by his profession. Nevertheless, he has never followed the occupation of *Śūdra* at any cost.<sup>208</sup>

There are some more rules and provisions for *Śūdra* had stored in *Pārāśara Gītā* also. It is also a sub-text of *Mahābhārata*. It described the rules for the occupation and livelihood of *Brāhmaṇa* and *Śūdra*. If the ancestors of *Śūdra* left nothing behind for him as the occupation, he does not have to adopt any other's occupation rather he should start the nursing of any *Dvija* from the beginning.<sup>209</sup> *Śūdra* had a minimal choice of occupation. But if he wants to start a new source of his livelihood, he should go under any *Dvija*, and he will give him work or regular occupation related to agricultural labour, trade labour, cleaner of home or public places. Worship, prayer, fasting, and other rituals were not banned for *Śūdra*, but he was not allowed to add the Vedic chants or ritual vocal terms and process like *Swāhā*, *Swadhā*, *Vaṣaṭ*, etc.<sup>210</sup> The duty, according to *varṇa*, was the “*Dharma*” and pursuance of duties was the supreme contribution of communities. Finally, *Mahābhārata* gave the theory of social harmony and unity among all four *varṇa* by saying that *Brāhmaṇa*, the first community is the creator and guardian of remaining three *varṇa*; *Kṣatriya*, *Vaiśya*, and *Śūdra*. So all these *varṇa* are closely related to the *Brāhmaṇa* community. *Brāhmaṇa* should give respect to all other *varṇas* like their own family and people. Because *Kṣatriya* etc. three communities are the progeny of *Brāhmaṇa*.<sup>211</sup>

<sup>208</sup> . Nityaṃ trayāṇāṃ varṇānāṃ śúśrūṣuḥ śūdra ucyate.

Kṣatradharmā vaiśyadharmā nāvṛtīḥ patate dvijaḥ,  
Śūdradharmā yadā tu syāt tadā patati vai dvijaḥ.

–Mahābhārata, 12.194.2-3

<sup>209</sup> . Vṛttiscennāsti śūdrasya pitṛpaitāmahī dhruvā,

Na vṛtīṃ parato mārgecchuśrūṣāṃ tu prayojayet.

–Mahābhārata, 12.293.2

<sup>210</sup> . Uktastrayāṇāṃ varṇānāṃ yajñastasya ca bhārata,

Svāhākāraṣaṭkārāu mantraḥ śūdre na vidyate.

–Mahābhārata, 12.60.37

<sup>211</sup> . Tasmād varṇā ṛjavo jñātivarṇāḥ, saṃsṛjyante tasya vikāra eva.

Ekaṃ sāma yajurekamṛgekā vipraścaiko niścaye teṣu sṛṣṭaḥ.

–Mahābhārata, 12.60.47

### 3.2.1.5. Other Communities in *Mahābhārata*

There were other various communities living at the time of *Mahābhārata*. Most of them were migrated from their origin places. People often had been traveling for their livelihood. Migration was also taking place due to social problems and hierarchy. Concept of state boundary was not very rude at ancient Indian past. Common people could settle only by the permission of refuge-giver state or kingdom. So, the appearance of migrated people is always a matter of their shelter. *Mahābhārata* gave the migrated communities and made some rules and regulations for them. List of these migrated communities is as; *Yavana, Kirāta, Gāndhāra, Cīna, Śabara, Barbara, Śaka, Tuṣāra, Kaṅka, Pahlava, Āndhra, Madraka, Paundra, Pulinda, Ramaṭha, and Kamboja*.<sup>212</sup>

These communities were declared as '*Dasyu*,' and they were a big challenge for the state because they were warrior communities and started robbery and plundering.<sup>213</sup> It indicates that they did not adopt the *Varṇa*-system, and they had their lifestyle and faiths. There is no special provision for such communities in *Mahābhārata*. These communities suggested by rule makers to donate some wealth to *Brāhmaṇa* and conduct the public welfare works like making water ponds, wells, build public inns, etc.<sup>214</sup>

Another list of communities has listed in *Anuśāsana parva*. These were warrior and fighter communities, but they challenged the *Brāhmaṇa* superiority. So, *Brāhmaṇa* pulled out them and snatched the status of warrior or *Kṣatriya*. So, they became *Śūdra* and *Mleccha*. Degenerated communities are: *Śaka, Yavana, Kamboja, Drāviḍa, Kaliṅga, Pulinda,*

<sup>212</sup> . Yavanāḥ kirātā gāndhārāścīnāḥ śabarabarbarāḥ,  
 Śakāstuṣārāḥ kaṅkāśca pahlavāścāndhramadrakāḥ.  
 Paundrāḥ pulindā ramaṭhāḥ kambojāścaiva sarvaśaḥ,  
 Brahmakṣatraprasūtāśca vaiśyāḥ śūdrāśca mānavāḥ. —Mahābhārata, 12.65.13-14

<sup>213</sup> . Kathaṃ dharmāṃscaṛiṣyanti sarve viṣayavāsināḥ,  
 Madvidhaiśca kathaṃ sthāpyāḥ sarve vai dasyujīvināḥ. —Mahābhārata, 12.65.15

<sup>214</sup> . Piṭṛyajñāstathā kūpāḥ prapāśca śayanāni ca,  
 Dānāni ca yathākālaṃ dvijebhyo viṣṛjet sadā. —Mahābhārata, 12.65.19

*Uśīnara, Kolisarpa, and Mahiṣaka* were *Kṣatriya*, but they ignored *Brāhmaṇa* and fallen in declension.<sup>215</sup>

The social study of *Mahābhārata* reveals many facts and conceptions. It was the early middle period of polity when polity was included as a wing of social behaviour. Political activities and responsibilities were distributed among communities by their social status. We found that the Hindu social structure got its full perfection in the time of great epic. *Mahābhārata* honestly accepts the blending of external communities within Hindu societies. The strong, warrior communities had included in second *varṇa*, *Kṣatriya* but abnegator communities got degradation and fallen in *Viśya* and *Śūdra* communities. Social rules and norms for all communities separately and widely described in this epic. Condition and conducts for women, the duty of householder and parameters of respect seems everywhere according to the story.

### 3.3. Political Principles in *Mahābhārata*

Ancient India's polity was based on its social phenomenon. Duties and responsibilities were fixed by the birth position. Promotion or degradation in duties was not permanent, but the birth was a decisive factor for the occupation in society. The polity was also decided by the birth position. First, *Varṇa* had the greatest power and dominative command over society. *Brāhmaṇa Varṇa* was the king-maker community, and it was also the guide for all *Varṇa*. Even the king was bound to follow its commands, and it was mandatory to take the suggestion, recommendation, and order from this *varṇa* before the execution of any order. Therefore, *Mahābhārata* ordered to the king that he had to appoint a great, scholar,

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<sup>215</sup> . Śakā yavanakambojāstāstāḥ kṣatriyajātayah,  
 Vṛṣalatvaṃ pariḡatā brāhmaṇānāmadarśanāt.  
 Drāviḍāśca kaliṅgāśca pulindāścāpyuśīnarāḥ,  
 Kolisarpā māhiṣakāstāstāḥ kṣatriyajātayah,  
 Vṛṣalatvaṃ pariḡatā brāhmaṇānāmadarśanāt,  
 Śreyān parājayastebhyo na jayo jayatām varam.

intellectual, characterful, and honest Brāhmaṇa as his trendsetter.<sup>216</sup> First, two *Varṇa* (*Brāhmaṇa* and *Kṣatriya*) had every absolute power. They were rulers, advisors, warriors, sacrificers, protectors. *Kṣatriya Varṇa* had been appointed for bearing the governmental, administrative and war-related responsibilities. Whole political discussion was based on *Varṇa* system.

### 3.3.1. Theories and Principles of State

*Mahābhārata* is dedicated to the monarchical system of governance. The bone-fable of this epic is centralized on the fight and struggle between two families, which were the claimant of the throne. This state was ruled by the monarchical system. But there are many other forms of governance seems in this epic. A wide and deep discussion about polity is insisted in *Śānti Prava* of *Mahābhārata* where the state described by *Bhīṣma*, the Grandfather of both *Kaurava* and *Pāṇḍavas*. He was injured and was recumbent on the arrow-bed. Defining the State, He said that State is the composition of seven elements. Those elements called “*Saptāṅga-Rājya*.”<sup>217</sup> Structure of a state depended on these elements. Theory of seven elements of state was the core principle of pre-independent Indian polity.

*Mahābhārata* seems very conscious during the descriptions about the state and its institutions. By defining the State, it is derived that state is the greatest machinery. This biggest machinery, called the ‘state’ neither controlled by a very rude and heartless person nor by a very humble, soft, and kindhearted person. It would be very challenging and uncontrolled for unilateral king or ruler.<sup>218</sup>

<sup>216</sup> . Rājñā purohitaḥ kāryo bhaved vidvān bahuśrutaḥ,

Ubhau samīkṣya dharmārthāvaprameyāvanantaram.

–Mahābhārata,12.73.1

<sup>217</sup> . Saptāṅgasya ca rājyasya viparītaṃ ya ācaret,

Gururvā yadi vā mitraṃ pratihantavya eva saḥ.

–Mahābhārata,12.57.5

Saptāṅgasya ca rājyasya hrāsavṛddhisamañjasam,

Dūta sāmārthya saṃyogāt sarāśtrasya vivardhanam.

–Mahābhārata,12.59.51

<sup>218</sup> . Rājyaṃ hi sumahat tantraṃ dhāryate nākṛtātmaḥiḥ,

Na śakyaṃ mṛdunā voḍhumāyāsasthānamuttamam.

–Mahābhārata,12.58.21

Every movable and immovable thing or living being can utilize the resources of the state for its purpose. It also means that it is not the property of any particular person, family, class, or community. That is why; a king should be stable in the middle of tenderness and hardness so that he can secure the right of every citizen and creatures.<sup>219</sup>

Two fundamental principles about the state revealed in this discussion. First, State is not only the composition of seven elements but also the biggest machinery and second principle is very inclusive and wider who secure the right of every citizen on the state. That is why the state is not just a piece of land surrounded by a boundary or some people, but state is a living being, it has consciousness and soul. *Mahābhārata* gave respect to this soul. King is just the guard and protector of this soul. *Mahābhārata* gave the theory of the origin of state and kingship.

According to *Mahābhārata*, there was not any state, society, king, criminal, punishment, or anything at the early time. Everything was operating by its own by natural law, and all were protecting each other.<sup>220</sup> It was the earliest stage of human existence where human was living naturally. But the society and people started falling in bad desires, anger, attachment, greed, and the natural law called ‘dharma’ got ruined. This bad situation created chaos and cultter among human being. They forgot the exercisable and non-exercisable acts.<sup>221</sup> This is the situation described by the *Mahābhārata*. After this, all *Devas* went to *Brhmā* and complained to him for this condition. Then the creator of the universe created the “*Nītiśāstra*” for the sake of humanity, human values, the formation of communities, rules, regulations, governing institutions, etc.<sup>222</sup>

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<sup>219</sup> . Rājyaṃ sarvāmiṣaṃ nityamārjaveneha dhāryate,

Tasmānmiśreṇa satataṃ vartitavyaṃ yudhiṣṭhira.

–Mahābhārata,12.58.22

<sup>220</sup> . Na vai rājyaṃ na rājā"sīnna ca daṇḍo na dāṇḍikaḥ,

Dharmeṇaiva prajāḥ sarvā rakṣanti sma parasparam.

–Mahābhārata,12.59.14

<sup>221</sup> . Tāmstu kāmavaśaṃ prāptān rāgo nāma samasprśat,

Raktāśca ca nābhyajanānta kāryākārye yudhiṣṭhira.

–Mahābhārata,12.59.19

<sup>222</sup> . Tato'dhyāyasahastrāṇāṃ śataṃ cakre svabuddhijam,



### 3.3.1.1. Remedies for the protection of State

*Mahābhārata* suggested a huge list of treatments and remedies for the protection and regulation of the state. These principles had provided by *Mahābhārata* became the supreme parameters of the measure the happiness and progress of a monarchical state.

*Bhīṣma* described these formulas. These remedies are: establish the systematic and honest circle of spies, appointment of ambassadors in other states, provide the payments and increments of servants on time, systematic and painless taxation system, do not arrogate the wealth of citizen unjustly, provide the space to good people and scholars, gallantry, efficiency, truthfulness, welfare of the citizen, creation of rivalry among enemies, repairing of old houses and restoration of religious places like temples, monasteries, etc., careness of orphans and the poor people, balanced usages of laws and punishments as per the requirement, always get the accompaniment of good people, take the company of elite people, collection of collectibles, utilize the wise men, encourage the euphoria of army by giving them gifts, medals etc., regular and continuous inspection of common citizen, never feel anguish in work, continuous increment in treasury, systematic management of protection, never believe in others about security, divide the anti-governmental elements, continuous observation on enemies, friends, and mediators. Erase all kind of polarization within servants, direct inspection of cities by the ruler, never believe completely on anyone, assure others (of any type of help or favour), always follow the path of diplomacy and duty, always stay active, cautioned against the enemies, and renouncement of bad and wicked men forever.<sup>223</sup>

These remedies have suggested to the ruler for making the state, government, administration stable. These are the direct remedies which were suggested for the execution on the ground. Modern India's constitution maker Dr. B. R. Ambedkar said, "I measure the progress of a community by the degree of progress which women have achieved."<sup>224</sup> This parameter of society level has been followed by the Indian tradition since the early stage of civilization.

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Yatra dharmastathāivārthaḥ kāmaścaivābhivarnītaḥ

–Mahābhārata, 12.59.29

<sup>223</sup> . Mahābhārata, 12.58.5-12

<sup>224</sup> . [https://www.goodreads.com/author/quotes/618535.B\\_R\\_Ambedkar](https://www.goodreads.com/author/quotes/618535.B_R_Ambedkar) accessed on: 20-Jul-197:35 PM.

Remarkably, women had been equally treated only until the Vedic period, and the post-Vedic cultural changes made the women second citizen, but *Mahābhārata* gave the respect and derived the parameter of well-protected state to the women. It is quoted, “When the women can freely roam on the streets with all their ornaments without any shelter or protection of man, that state called the protected state by the king.”<sup>225</sup>

### 3.3.1.2. Concept of the unclaimed and chaotic state

*Mahābhārata* considered some conditions when a particular part of land becomes unclaimed by any dynasty, and their citizen becomes government-less. These are the chaotic states where people live on their own risk and concept of state, and the government gets destroyed for any reason. *Mahābhārata* called it the “*Arājaka Rājya*.” It is also remarkable that the very first step of being a state and its government should be taken by the citizens. They should appoint a man as their king because the ruler-less states often face many disasters and problems.<sup>226</sup> Society of such state itself becomes corrupt, and they create the hierarchy within communities and families. If a state is running without a king, all social order gets corrupted. Those people also fall in slavery who are elite by birth and family. The women are kidnapped openly. That is why; the Gods created the king for abolishing such problems and maintain law and order in society.<sup>227</sup> The ruler is the necessity of the state because life in a chaotic state is just impossible because the stronger man or family discriminate weaker people, as the big fish eats small fish in the ocean.<sup>228</sup> That is the importance of government. The state is nothing without a system of governance.

<sup>225</sup> . Striyaścāpuruṣā mārgaṃ sarvālaṅkārahūṣitāḥ,

Nirbhayāḥ pratipadyante yadi rakṣati bhūmipaḥ.

–Mahāhārata, 12.68.32

<sup>226</sup> . Rāṣṭrasyaitat kṛtyatamaṃ rājña evābhiṣecanam,

Anindramabalaṃ rāṣṭraṃ dasyavo'bhībhavantyuta.

–Mahāhārata, 12.67.2

<sup>227</sup> . Adāsaḥ kriyate dāso hriyante ca balāt striyaḥ,

Etasmāt kāraṇād devāḥ prajāpālān pracakrire.

–Mahāhārata, 12.67.15

<sup>228</sup> . Rājā cenna bhavelloke pṛthivyāṃ daṇḍadhāraḥ,

Jale matsyānivābhakṣyan durbalaṃ balavattarāḥ.

–Mahāhārata, 12.67.16

King should establish a system and chain from the prime unit of governance to the central government for the well protection and well-functioning of the state. The village should be fixed at the basic unit of the state and governance. King should generate five posts rank-wise. The first unit is one village, the second unit is the group of ten villages, the third unit is the group of twenty villages, the fourth unit is the group of hundred villages, and the fifth unit of local governance is wide unit of a group of thousands of villages. King should appoint one village-head in each village and after that, one officer in every rank till the fifth unit.<sup>229</sup> Every officer collects all the information and statistics from his unit and passes it to his just ranked officer. Finally, the chief of thousands of villages collect all statistics and present it in front of the king. King should appoint a minister over all these officers, and he should regularly observe all activities and works of these officers.<sup>230</sup> For urban administration, the king should appoint a special commissioner who only inspects the entire governing system and duties of officers and staff.<sup>231</sup>

### 3.3.1.3. Utilized use of State resources

It is an important aspect of the state. *Mahābhārata* advised the king to collect the taxes from the subjects as per their production and capacity. He should not fix one tax rate for all but fix it according to their productivity, labour, and other aspects.<sup>232</sup> Subjects, citizens, and human resources are the base of the state, and agriculture is their lifeline. King should control his cupidity and never try to destroy this lifeline by his greed. King should close all doors of greed so that his single view can make the common people happy. If the king's public image damaged and tagged as the exploiter, his subject would abominate him.<sup>233</sup> *Mahābhārata* has

<sup>229</sup> . Grāmasyādhipatiḥ kāryo daśagrāmyāstathā paraḥ,

Dviguṇāyāḥ śatasyaivaṃ sahasrasya ca kārayet.

–Mahāhārata, 12.87.3

<sup>230</sup> . Teṣāṃ saṃgrāmakṛtyaṃ syād grāmakṛtyaṃ ca teṣu yat,

Dharmajñāḥ sacivaḥ kaścit tat tatpaśyeditandriyaḥ.

–Mahāhārata, 12.87.9

–Mahāhārata, 12.87.9<sup>1/2</sup>

<sup>231</sup> . Nagare nagare vā syādekaḥ sarvārthacintakaḥ.

–Mahāhārata, 12.87.10

<sup>232</sup> . Uccāvacakarā dāpyā mahārājñā yudhiṣṭhira.

–Mahāhārata, 12.87.15

<sup>233</sup> . Nocchindyādātmano mūlaṃ pareṣāṃ cāpi tṛṣṇayā.

Īhādvārāṇi saṃrudhya rājā samprītadarśanaḥ,

given a fascinating example here for the justified taxation of the state. As a calf of milch cow becomes stronger and long time able for sustainment because he drinks enough milk after lactation. The Master of cow leaves enough milk for the calf. Same as a king should take as much as the people of the state do not have trouble. A nation becomes very poor, so only if its king brutally collects high taxes and other resources. Nevertheless, if he collects the justified tax and does not give extra burden to his people, such nation sustain for a long time with all happiness, joy, and growth.<sup>234</sup>

At any war-emergency, the king should announce the condition in the cities and appeal the common people for economic help. When he collects the money from commercial, trade communities, he should always mind that if he imposes heavy taxation during any condition without a statement of account, the business community will leave the city and take the shelter in forests. King should handle them with extra merciful way.<sup>235</sup> Detailed rules regarding the taxation is widely described in the 88<sup>th</sup> chapter of *Śāntiparva*.

The essence of the theory of taxation is that a king should never apply heavy taxes suddenly, but he should apply a minimum amount of tax and increase it very slowly. He can direct ask for financial support from the subject, but apart from an emergency, he never tries to collect the extra wealth from a citizen. The state is not the property of the king, but he is the servant of the state. He should work with this spirit.

### 3.3.1.4. Theory of Republic State

*Mahābhārata* gave the theory and rules for a republic nation. It is a form of governance where the people collectively operate the state and its machinery. There have been many republic states in Indian sub-continent from the Vedic period to post the Buddha period.

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|---|--------------------------------------|
| Pradviṣanti parikhyātaṃ rājānamatikhādinam.   | –Mahāhārata, 12.87.18-19             |
| <sup>234</sup> . Rāṣṭramapyatidugdhaṃ hi na karma kurute mahat,<br>Yo rāṣṭramanugrṇāti parirakṣan svayaṃ nṛpaḥ. | –Mahāhārata, 12.87.22                |
| Samjātamupajīvan sa labhate sumahat phalam.   | –Mahāhārata, 12.87.22 <sup>1/2</sup> |
| <sup>235</sup> . Upekṣitā hi naśyeyurgomino'raṇyavāsinaḥ,<br>Tasmāt teṣu viśeṣeṇa mṛdupūrvaṃ samācaret.         | –Mahāhārata, 12.87.36                |

*Pāṇini* also indicated that republic states like *Rājanya* and *Vṛji*,<sup>236</sup> *Andhakavṛṣṇi* and *Bharga*,<sup>237</sup> *Madra*,<sup>238</sup> etc.

*Mahābhārata* has given the root cause of the destruction of the federated state, and that is the mutual dispute within the republic among families or clans or communities. These distinctions create the problem, and the secrecy revealed.<sup>239</sup> *Bhīṣma* added his logic with the conception of *Yudhiṣṭhira* and told that there are only two factors behind the destruction of the unity of the republic. Those two causes are; greed and resentment.<sup>240</sup> The army of republic states can be rebellious if their payments and maintenance get delayed. The soldiers could have a rebellion of republic in this situation.<sup>241</sup> All collapsed republics became destroyed by their internal mutual differences. Comminuted republics were easily conquered by the enemy states. So, the republic should always unite and jointly make an effort to conquer the other states.<sup>242</sup>

### 3.3.1.5. Characteristics of the Republic states

*Mahābhārata* described the causes of the ruin of the republic state at first. It is a very close reality even in modern time. Division of people in various sects can be harmful to the unity of the nation. It never means that republics people always live under the dissolution fear. There are many comforts and benefits of being a civilian of the republic. *Mahābhārata* given the brief introduction of republic states. The enlightened intellectuals and experts appreciate

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<sup>236</sup> . Aṣṭādhyāyī, 4.2.53

<sup>237</sup> . Aṣṭādhyāyī, 4.2.34

<sup>238</sup> . Aṣṭādhyāyī, 4.2.131

<sup>239</sup> . Bhedamūlo vināśo hi gaṇānāmupalakṣaye,

Mantrasaṃvaraṇaṃ duḥkhaṃ bahūnāmiti me matiḥ.

–Mahāhārata, 12.107.8

<sup>240</sup> . Gaṇānāṃ ca kulānāṃ ca rājñāṃ bhāratasattam,

Vairasaṃdīpanāvetau lobhāmarṣo narādhipa.

–Mahāhārata, 12.107.10

<sup>241</sup> . Tatrādānena bhidyante gaṇāḥ saṃghātavṛttayaḥ,

Bhinnā vīmanasaḥ sarve gacchantyarivaśaṃ bhayāt.

–Mahāhārata, 12.107.13

<sup>242</sup> . Bhede gaṇā vineśurhi bhinnāstu sujayāḥ paraiḥ,

Tasmāt saṃghātayogena prayateran gaṇāḥ sadā.

–Mahāhārata, 12.107.14

the republics. The united people had not bad wishes to make any fraud with each other, and they jointly make the efforts for help and progress of each other and entire republic.<sup>243</sup> The elite community of republic establishes social behaviours, according to *Śāstra*. It means, the elite community always attached with all remaining communities, and they jointly do any effort for progress. The elite communities of normal monarchial states always separated from the lower communities because there are kingship and a proper governing system, which govern the various communities separately according to their position.

Republic states have their way to govern itself. Here, every community and people come together, care together, and progress together. All people of the republic jointly take the decision for all problems or conflicts. That is why; it is said that the elite people derive the social customs and behavior, and they consider every person of the state and take the initiatives for joint progress.<sup>244</sup> Since there is no concept of one king or ruler in the republic, all citizen of the republic become the power bearer, and they operate their republic by this spirit. If their relative fall in bad manner or activity, they punish them without any bias. The Republic provides higher education for its entire citizen and accepts them after completing the education with full respect.<sup>245</sup>

Other many benefits of republic have described in *Mahāhārata*. This epic emphasized on the unity of republics. Only unity is first and the last remedy to protect their republic sovereignty. It is human psychology that they can never be the same in mind, intellect, and mental strength even though they are similar in caste, birth, region, colour, or race. This rule applies to the Republic also.

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<sup>243</sup> . Jñānavṛddhāḥ praśaṃsanti śuśrūṣantaḥ parasparam,

Vinivṛttābhi samdhānāḥ sukhamedhanti sarvaśaḥ.

–Mahāhārata, 12.107.16

<sup>244</sup> . Dharmiṣṭhān vyavahārāṃśca sthāpayantaśca śāstrataḥ,

Yathāvat pratipaśyanto vivardhante gaṇottamāḥ.

–Mahāhārata, 12.107.17

<sup>245</sup> . Putrān bhrātrṇ nigṛhṇanto vinayantaśca tān sadā,

Vinītāṃśca pragṛhṇanto vivardhante gaṇottamāḥ.

–Mahāhārata, 12.107.18

The enemies buy some people of the republic and divide the entire republic. So, the “Unity” is great shelter for all of them.<sup>246</sup> *Mahābhārata* only describes some basic and prime features of republic states. It emphasized on their unity and cause of their disbandment.

### 3.3.2. *Rājadharmā*: Science of government

It is the collective name of whole governmental and political affairs. Its canvas is very vast. *Rājadharmā* means the duties, conducts and ethics for the king or the code of conducts of the king. *Rājadharmā* is the basic feature of polity in this epic. *Rājadharmā* is the shelter of all the creature of the state because only this mechanism provides the guarantee of safety and security of the citizen of the state.<sup>247</sup> This science of polity controls and commands the folk because it saves the nation from chaotic condition and excelerate the good conduct and behavior.<sup>248</sup> There would had no family, social, communal or state level organization if the *Rājadharmā* did not control the folk and moderate them. The *Rājadharmā* stops the appearance of the anarchy.<sup>249</sup>

India’s ancient law-makers and political thinkers had the awareness regarding the state and polity. They properly defined it and gave it a technical name. The word “*Rājadharmā*” has a perfect sense and meaning. *Rāja* means ‘related to the king or government’ and ‘*Dharma*’ reflected its meaning of ‘duty.’<sup>250</sup>

This term had been covered whole of political affairs since its starting but the *Śukranīti* used the term “*Nītiśāstra*” for science of polity and term ‘*Rājadharmā*’ delimited for presenting the judicial procedure. Both traditions accepted the importance of science of polity. Giving

<sup>246</sup> . Bhedāccaiva pradānācca bhidyante ripubhirgaṇāḥ. –Mahāhārata, 12.107.31

Tasmāt saṃghātamevāhurtaṇānām śaraṇam mahat. –Mahāhārata, 12.107.32

<sup>247</sup> . Sarvasya jīvalokasya rājadharmāḥ parāyaṇam. –Mahāhārata, 12.56.3

<sup>248</sup> . Yathā hi raśmayo'śvasya dviradasyāṅkuśo yathā,  
Narendradharmo lokasya tathā pragrahaṇam smṛtam. –Mahāhārata, 12.56.5

<sup>249</sup> . Tatra na cet sampramuyet dharme rājarṣisevite,  
Lokasya saṃsthā na bhavet sarvaṃ ca vyākulībhavet. –Mahāhārata, 12.56.6

<sup>250</sup> . Śabdakalpadrumaḥ, Vol. 4, 114

the term is different matter but accepting the importance of this knowledge seems equal in both. *Mahābhārata* and its previous tradition had been using “*Rājadharmā*” for whole political affairs. This is the head among all other knowledge because it provides the shelter and save the other ‘*Dharma*.’ The *Rājadharmā* is supreme *Dharma*. *Rājadharmā* is the act and way of sacrifice and the sacrifice know as supreme virtue according to ancient seers.<sup>251</sup>

### 3.3.3. *Daṇḍanīti*: the criminal procedure and philosophy of Justice

*Mahābhārata* gave the equal importance to the *Rājadharmā* and *Daṇḍanīti*. *Daṇḍa* is *vyavahāra* according to *Mahābhārata*.<sup>252</sup> The meaning of ‘*Dharma*’ in *Rājadharmā* is duty but when it used for *Daṇḍa*, it means the “*vyavahāra*” or the criminal procedure.<sup>253</sup> It has same importance like *Rājadharmā*. *Rājadharmā* protects the folk from external and external enemies while *Daṇḍa* protects the people and society of the state. It internally works for maintain the peace, harmony, and *varṇa* order. *Daṇḍa* (Law and order) controls the people from being the cruel and criminal. Only the fear of *Daṇḍa* stops them from mutual fighting.<sup>254</sup> When the law and orders exists in its actual form among the people and society, the folk gets a peaceful and secured atmosphere. A secured and peaceful society can think about the progress and development. They works freely without any fear and make their state wealthy and rich by their effort and productive occupation. Finally, the state takes steps on the path of progress.<sup>255</sup>

<sup>251</sup> . Sarve dharmā rājadharmapradhānāḥ, sarve varṇāḥ pālyamānā bhavanti.

Sarvastyaḅgo rājadharmeṣu rājastyāgaṃ dharmam cāhuragryam purānam. –Mahāhārata, 12.63.27

<sup>252</sup> . Śrṅṅu kauravya yo daṇḍo vyavahāro yathā ca saḥ,

Yasmin hi sarvamāyattaṃ sa daṇḍa iha kevalaḥ. –Mahāhārata, 12.120.8

<sup>253</sup> . Dharmasyākhyā mahārāja vyavahāra itīṣyate,

Tasya lopaḥ kathaṃ na syāllokeṣvavahitātmanaḥ.

Ityevaṃ vyavahārasya vyavahāratvamiṣyate. –Mahāhārata, 12.120.9-10

<sup>254</sup> . Na syād yadīha daṇḍo vai pramatheyuḥ parasparam,

Bhayād daṇḍasya nānyonyam ghnanti caiva yudhiṣṭhira. –Mahāhārata, 12.120.34

<sup>255</sup> . Daṇḍena rakṣyamāṇā hi rājannaharahaḥ prajāḥ,

Rājānam vardhayantīha tasmād daṇḍaḥ parāyaṇam. –Mahāhārata, 12.120.35



A king should never misuse the law and he should be very careful during its implementation. Only the use in justified manner carries the positive result. Biased use can destroy the whole nation. King should not apply heavy punishment for little crimes on his subjects by the name of Law. Physical amputation, murder, torture, coerce for death, or permanent exile on minor crimes are totally misuse of law.<sup>256</sup> A king should never apply the law in improper way. While describing the glory of ancient polity, it was observed that India's ancient polity was totally based on the applied form of politics. This spirit seems at every phase and step of governance. The criminal procedure seems very ethical according to *varṇa*-order.

A ruler should neither very strict nor very soft in political affairs and implementation of law. He should take the middle path between cruelty and kindness. If a ruler would behaves in very soft manner, nobody will respect him and the staff and common people start taking him lightly. If he will show much strictness, the folk will go under the fear of law and system. These conditions are harmful for both, state and ruler. So, the ruler should mind his way of governing and should take the middle path. He should show the softness and strictness as per the requirement of the circumstance.<sup>257</sup>

### 3.3.4. Kingship in *Mahābhārata*

This epic believes in the monarchical system of government. King had been presented as the divine source of all governmental powers. King's post was supreme and hereditary. The inclusive approach of whole epic seems in the rules and regulations about kingship. King was appreciated not only as the first man of the state but also as the divine form of human among common people. It is remarkable that the post of king had continuously been taking strength since its appearance in Vedic tradition. King was just the protector and physically strong man in Vedic clans. Brāhmaṇa text did not pay much attention on king. Even the Sūtra literature did not entertain this post. King got powers and attention in later Vedic period

<sup>256</sup> . Vyaṅgatvaṃ ca śarīrasya vadho nālpasya kāraṇāt,

Śarīrapīḍāstāstāśca dehatyāgo vivāsanam.

–Mahāhārata, 12.121.41

<sup>257</sup> . Mṛdurhi rājā satataṃ laṅghyo bhavati sarvaśaḥ,

Tikṣṇaccodvijate lokastasmādubhayamāśraya.

–Mahāhārata, 12.56.21

and from that time, it gained the power and authority rapidly and became the supreme power of state. *Mahābhārata* gave it such attention and *Kṛṣṇa* claimed himself as the king among the common human being.<sup>258</sup> The glory, character, responsibilities, duties and qualities of king made him strongest in the monarchial system of government. Sanskrit and other dominating literatures in all over the contemporary world made the king their supreme leader and sometimes the dictator about governmental affairs.

### 3.3.4.1. Qualities of King according to *Mahābhārata*

The thirty-six qualities of the king described in *Mahābhārata*. Some major qualities are mentionable. King should always be religious and conductful but he should not fall in incivility towards atheists. It is the first quality of the king. Second quality of the king is to follow the deism and he should be fully ritualist but it never mean that he abolish other ideologies and their followers.

He should be very harmonious towards the people of his state and his approach should be inclusive for all his citizens even for the atheists and heterodox people.

Third quality of king to leave the cruelty towards the subject at the time of revenue and tax collection. He should not earn the money by wrong and improper manner. The tax and revenue collection without harming the people advised to the king.

Fourth quality of the king is about moderation. He should always moderate himself towards the luxuries and try to delimit the quantity of luxuriness.<sup>259</sup> He should always speaks the humble and fond language but never show the lowliness in conversations.

King should try to be brave and warrior by his work and projects but he should not fall in flirtation. He should regularly donate to needy people but never feed to the unworthy. He should be very courageous but never be the cruel and hearless.<sup>260</sup> King should not engaged

<sup>258</sup> . Uccaiḥśravasamaśvānāṃ viddhi māmamṛtodbhavam,

Airāvataṃ gajendrāṇāṃ narāṇāṃ ca narādhipam.

–Mahāhārata, 6.34.27

<sup>259</sup> . Careḍ dharmānakaṭuko muñcet snehaṃ na cāstikaḥ,

Anṛṣaṃsaścaredarthe caret kāmamanuddhataḥ.

–Mahāhārata, 12.70.3

<sup>260</sup> . Priyaṃ brūyādakṛpaṇaḥ sūraḥ syādavikatthanah,

with wicked people, never fight with family members, avoid the dishonest spies and conduct his all works and projects without harming anyone.<sup>261</sup> These are not just a description but a complete moral guidance for the king. An ideal ruler must follow these qualities because king is not the commander of any particular community or people but his leadership applies in the every component and element of the state, not only on human being but also on the other creatures. A king should not be partial or biased for anyone.

### 3.3.4.2. Duties of the king

Kingship is not the post for comfort and indecision but it is the biggest responsibility. If any man want to be the king, he has to sacrifice his personal desires, dearest things and comfort for the sake of nation. He should avoid personal habits for maintain the dignity of the post. As a pregnant lady leaves all her favorite foods, habits, activities, and works during her pregnancy and takes only the favorable foods for womb. All her efforts and attentions concentrate only on the under-growing baby in her fetus. Kingship needs the same attention and precaution from the king like a pregnant lady.<sup>262</sup>

The eternal and ultimate duty of the king is, the welfare of his subjects. Happiness and progress of citizens of the state is the first duty of a king. Second duty is the protection of the truth. This habit has multiple benefits. Practice of truth by the king and his assistants can abolish the possibility of corruption and misconducts. Third duty of the king is the proper proceeding of judicial trials and distribution the justice according to law.<sup>263</sup>

King should be the patron of the orphans. No one should not feel the unprotected in the state even if he has no family or supporters. The king and state should secure the safety and

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Dātā nāpātravarṣī syāt pragalbhaḥ syādaniṣṭhuraḥ. –Mahāhārata, 12.70.4

<sup>261</sup> . Sandadhīta na cānāryauvigrhṇīyāna bandhubhiḥ,  
Nābhaktaṃ cārayeccāraṃ kuryāt kāryamapīḍayā. –Mahāhārata, 12.70.5

<sup>262</sup> . Yathā hi garbhiṇī hitvāsvaṃ priyaṃ manaso'gunam,  
Garbhasya hitamādhatte tathā rājñāpyasaṃsayam. –Mahāhārata, 12.56.45

<sup>263</sup> . Lokarañjanamevātra rājñāṃ dharmāḥ sanātanaḥ,  
Satyasya rakṣaṇaṃ caiva vyavahārasya cārjavam. –Mahāhārata, 12.57.15

livelihood of an orphan. Protected, and occupationed people should be observed by the king. A king should always be blithe, positive by his face expression, and should be an impressive speaker.<sup>264</sup> That king is great and appreciable who secures the safety and security of all his citizens, common people can roam freely without fear like they live under the shelter of their father at their home.<sup>265</sup>

These are the few examples of duties of king described in *Mahābhārata*. Whole of the epic has many suggestions and discriptions about this topic. King is the servent of the state only.

### 3.3.5. Assistants of the King

Operating a state is not the cup of tea but very responseful and hard effort. It cannot bearable by one person or authority without assistants.<sup>266</sup> *Mahābhārata* gave the systematic support to the king for smooth conducting of the state.

#### 3.3.5.1. *Amātya* and Ministers

There are three major posts just after the king. *Pradhāna Saciva* (*Amātya* or chief secretary of the king) considered as the post, just after the king. A friend or teacher or Vedic expert appointed as minister is the second fellow rank just after the king. Third but most important post was the chief of ministers (*Pradhānamantrī*). Fair skinned, good looking, soft spoken, apologetic, non-blasphemous, elite and good character is the eligibility of *amātya* (chief secretary) of the king.<sup>267</sup> A man with fast and sharp intellect, highly skilled in conducting the governmental projects and operations, kindhearted, equal response in insult or respect; if these qualities seem in any close friend, or teacher, or the Vedic scholar; king should

<sup>264</sup> . Abhṛtānām bhaved bhartā bhṛtānāmanvekṣakaḥ,

Nṛpatiḥ sumukhaśca syāt smitapūrvābhībhāṣitā.

–Mahāhārata, 12.57.19

<sup>265</sup> . Putrā iva piturgehe viṣaye yasya mānavāḥ,

Nirbhayā vicariṣyanti sa rājā sattamaḥ.

–Mahāhārata, 12.57.33

<sup>266</sup> . Yadapyalpataraṃ karma tadapyekena duṣkaram,

Puruṣeṇāsahāyena kimu rājñā pitāmaha.

–Mahāhārata, 12.80.1

<sup>267</sup> . Rūpavarnasvaropetastitikṣuranasūyakaḥ,

Kulīnaḥ śīlasampannaḥ sa te syāt pratyanantaraḥ.

–Mahāhārata, 12.80.21

appoint him as minister and provide him space in his royal palace. Such type of brilliant men are only the eligible candidate for the post of minister.<sup>268</sup> The chief of minister (*Pradhānamantrī*) should be very intelligent, kind hearted and above in every sphere of quality and charater than two pre-described assistants of the king.<sup>269</sup> Second row of ministers and secretaries were for the help of king, they were the policy executors also.

*Mahābhārata* gives the authority to the king about the number of ministers as per his requirement. King should appoint five people as the finance ministers.<sup>270</sup> The *Sabhāsada* had important place in government. Tractable, stoic from various greeds, truthful, simple hearted, capable to advise to the king on any issues, should be appointed as the *Sabhāsada* of the court of the king.<sup>271</sup>

### 3.3.5.2. Council of Ministers

*Mahābhārata* creates the council of ministers for the conculatation and necessary governmental advices. It is mentionable because of its structure, number, and eligibility criteria. This council of ministers includes all the varṇa and their representation as per the requirement. Four *Brāhmaṇas*, eight *Kṣatriyas*, twenty-one *Vaiśya*, three *Śūdras*, and one *Sūta*; total thirty-seven ministers had included in this council.<sup>272</sup> It is very interesting

<sup>268</sup>. Medhāvī smṛtimān dakṣaḥ prakṛtyā cānṛśaṃsyavān,

Yo mānito'mānito vā na ca duṣyet kadācan.

Rtvigvā yadi vā"cāryaḥ sakhā vātyantasamstutaḥ,

Gṛhe vasedamātyaste sa syāt paramapūjitaḥ.

–Mahāhārata, 12.80.21-22

<sup>269</sup>. Kīrtipradhāno yastu syād yaścasyāt samaye sthitaḥ,

Samarthān yaśca na dveṣṭi nānarthān kurute ca yaḥ.

Yo na kāmād bhayāllobhāt krodhād vā dharmamutsṛjet,

Dakṣaḥ paryāptavacanaḥ sa te syāt pratyanantaraḥ.

–Mahāhārata, 12.80.26-27

<sup>270</sup>. Parīkṣya ca guṇān nityaṃ prauḍhabhāvān dhuraṃdharān,

Pañcopadhāvyatītāṃśca kuryād rājārthakāriṇaḥ.

–Mahāhārata, 12.83.21-22

<sup>271</sup>. Hrīniṣevāstathā dāntāḥ satyārjivasamanvitāḥ,

Śaktāḥ kathayituṃ samyak te tava syuḥ sabhāsadaḥ.

–Mahāhārata, 12.83.2

<sup>272</sup>. Caturo brāhmaṇān vaidyān pragalbhān snātakāñśucīn,

structure of the council where the caste and *varṇa* representation made it unique and remarkable. Majority of *Vaiśya* indicates that it was the executive body focused on the policy implementation. Second largest number of ministers were from the *Kṣatriya varṇa*. Physical eligibility and skill in bravery was focused eligibly for *Kṣatriya*. Four ministers appointed from the *Brāhmaṇa* community and all these were the closest advisors of the king. These were the core functioning factor of the state. Three *Śūdra* first time got the space in the ministerial council of the king in *Mahābhārata*. Even the mainstream *Dharmaśāstra* did not provide any post to this community but *Mahābhārata* broken this rigidity and included all sections of the society.

There are 365 chapters in *Śāntiparva* of *Mahābhārata*. First 130 chapters known as the “*Rājadharmānuśāsana Parva*.” *Ādi Parva*, *Udyoga parva*, *Bhīṣma Parva*, and *Anuśāsana Parva* also had many political theories and principles. The *Mahābhārata* has the broadest canvas of politics as well as other disciplines. The above described political discussion is just the little reflection of polity of *Mahābhārata*. It is a political dispute based epic among two great families which had one origin but this epic captured whole aspect of human life on personal and public level. The discussion on the state in *Mahābhārata* has much relevance even today. Its remedies for the protection and safeguards for the eradication of corruption and bad conducts are very useful for our present Indian polity and society. It is true that some basic theories has no use and relevance due to different from of government but their ethical grounds, moralities of rulers, ministers, bureaucrats, staff are as same relevant as they had at the time of *Mahābhārata*.

The discussion revealed many interesting facts and principles of *Mahābhārata*. First is the ‘inclusive nature’ of the epic. It seems at social, religious, political, economic, spiritual, theoretical and practical level. *Mahābhārata* shown no biased approach towards anyone of

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Kṣatriyāṃśca tathā cāṣṭau balinaḥ śastrapāṇinaḥ.

Vaiśyān vittena sampannānekaviṃśatisaṃkhyayā,

Trīṃśca śūdrān vinītāṃśca śucīn karmaṇi pūrvake.

Aṣṭābhiśca guṇairyuktaṃ sūtaṃ paurāṇikaṃ tathā.

–Mahāhārata, 12.85.7-9

these spheres. It included all communities and created provisions for all of them. Even the foreign communities got the respect, place and occupation in the state of *Mahābhārata*. Politically it is the richest text of Sanskrit literature. Though, it supports the monarchy but republic states and their principles also got the space in the discussion. These qualities make this epic eternal and all time relevant.

#### 4. Buddhist Approach to Political Principles

Buddhism is the supreme contribution to the world from Indian sub-continent. Son of the *Śuddhodhana*, a royal and wise member of his clan's republic council, peace follower, philosopher, idealistic politician *Siddhārtha* Gautama was the founder of the great *Dhamma*. He was born in 563 B.C. at the Vaiśākha Pūrṇimā.<sup>273</sup> Gautama Buddha is the historic personality and he was the first social, political, religious revolutionary. *Śuddhodhana* and *Mahāmāyā* were his parents. His mother died after seven days of his birth and his merernal aunty *Gautamī* nurtured him. The name of his clan was *Śākya* and that was a republic clan. Its head were chosen by the electoral process but the social reputation, wealth, cattles, palaces were the parameter for strong claim for the post of clan-head. When *Siddhārtha* had taken birth, his father was the head of *Śākya* clan.

The story of *Mahābhiniṣkramaṇa* of *Siddhārtha* is an over-glorified story. The story was created by the *Aśvagoṣa* in his drama, *Buddhacaritam*. *Aśvagoṣa* was the first Buddhist darma writer and was the sheltered poet in the court of king *Kaniṣka* (78A.D.-120A.D.).<sup>274</sup> *Aśvagoṣa* established this story and whole tradition followed him. But fundamental Pali cannons especially the Tripiṭaka has no such story. The drama of *Aśvagoṣa* and later *Aṭṭhakathā* literatrue are only the sources but that story made the home-exile of Gautama very miraculous. The story of old, ill and dead men and the quietude of *Siddhārtha* has no any indication in foundational Pali literature.<sup>275</sup>

<sup>273</sup> . Ambedkar, B.R., "The Buddha and His Dhamma", 1.1.3.26

<sup>274</sup> . Dvidedi, Kapiladeva, "Sanskrit Sahitya ka Samikshatmaka Itihasa, p. 428.

<sup>275</sup> . Ambedkar, B.R., "The Buddha and His Dhamma", (Introduction) p. 6

The revisiting of Pali literature revealed the real causes of home leaving of *Gautama*. Buddha told his cause of home-exile and that had saved in *Attadaṇḍasutta* of *Suttanipāta* of *Khuddaka-Nikāya*.<sup>276</sup>

Buddha said, “Holding the weapon was horrible (because), people fight with arms brutally. How the quietude arisen within me, I am telling; as the fish agonizes in scanty water, as same as I saw the agonizing folk with each other and that created a fear in my heart. The world was seeming very vacuous and ephemeral, direction were vibrating, and there was no room for peace in whole of the world at that time because my heart became apathetic by seeing the people fighting for little interests.”<sup>277</sup>

Ambedkar gave the full description of home leaving of *Siddhārtha*. According to his text, “*The Buddha and His Dhamma*,” he told that *Siddhārtha* was a normal man like others but he was very wise, intellectual and peaceful mind. He became the member of *Śākya* republican council after the age of twenty as per the clan’s rule.<sup>278</sup> *Koliya* were the neighbor of *Śākya* and both states separated by the river *Rohiṇī*.<sup>279</sup> A serious fight occurred among *Śākya* and *Koliya* for the distribution of river-water. *Koliya* attacked first and *Śākya* called the urgent council meeting for strong reply to *Koliya*. *Siddhārtha* was against the the weapon fight and he offered for vocal negotiation. However, the angry *Śākyas* and their commander-in-chief rejected this suggestion by voting.<sup>280</sup> Next day when *Śākya* started organize the

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<sup>276</sup> . Attadaṇḍā bhayaṃ jātaṃ, janaṃ passatha meghakaṃ,  
 Saṃvegaṃ kittayissāmi yathā saṃvijitaṃ mayā.  
 Phandamānaṃ paṇaṃ disvā macche appodake yathā,  
 Aññaṃaṇehi vyāruddhe disvā maṃ bhayamāvisi.  
 Samantasaro loko, disā sabbā sameritā,  
 Icchaṃ bhavanamattano nāddasāsiṃ anositaṃ,  
 Osāno tveva vyāruddhe disvā me arati ahu.

–Attadaṇḍasutta, 1-3

<sup>277</sup> . Ambedkar, B.R., “The Buddha and His Dhamma”, (Introduction) p. 7

<sup>278</sup> . The Buddha and His Dhamma, 1.1.13.1-12

<sup>279</sup> . Ibid, 1.1.14.6

<sup>280</sup> . Ibid, 1.1.14.21-22



troop of young people, *Siddhārtha* once again refused to be the member of army. He was immutable on his view. Finally, the council punished him for his dogma for peace and gave him three options. First option was to participate in the battle against the *Koliya*, second was to permanent exile from the *Śākya-sangh* or death punishment, and third was the social boycott of whole of his family and the council will snatch the power and property.<sup>281</sup> Punishment of permanent deportation to an intelligent prince could had make the *Kośala* angry and the king of *Kośala* could punish the *Śākya* clan, it was the difficulty in the execution of this punishment. *Siddhārtha* himself suggested the way of being the “*Praivṛājaka*” and he could easily adopt the punishment without any external danger. It was the safest way for *Siddhārtha* at that time and he accepted it. Finally, he left the clan, state and became “*Parivṛājaka*.”<sup>282</sup> *Siddhārtha* left his family, clan, state, visited many sages, and debated with them on philosophical aspects. He started searching the cause of sorrow of the world and invented it. After the enlightenment and finding the four noble truths (*Ariyasacco*), he became “*Buddha*.” Now, his *Dhamma* journey had started. Three most important incidents of life of Buddha are very important and respectable for followers of Buddha. (*Mahābhiniṣkramaṇa*) Home leaving, (*Dhammacakkapavattana*) starting the *Dhamma* and his *Nirvāṇa* (*Mahāparinibbāna*).

#### 4.1. Basic Principles of Buddhism

Buddha delivered his first ‘*Desanā*’ in *Sāranātha* to first five five fellow ascetics. Buddha told them about four noble truth. First, there is sorrow in this world.<sup>283</sup> Second, there is the cause of sorrow.<sup>284</sup>

<sup>281</sup> . The Buddha and His Dhamma, 1.1.15.13

<sup>282</sup> . Ibid, 1.1.17-21

<sup>283</sup> . Dukkhaṃ ariyasaccaṃ– jātipi dukkhā, jarāpi dukkhā, byādhipi dukkhā, maraṇampi dukkhaṃ, appiyehi sampayogo dukkho, piyehi vippayogo dukkho, yampicchaṃ na labhati tampi dukkhaṃ– saṃkhittena pañcupādānakkhandhā dukkhā. –Dhammacakkapavattanasutta (Samyutta Nikāya, 3.12.2)

<sup>284</sup> . Dukkhasamudayaṃ ariyasaccaṃ– yāyaṃ taṇhā ponobbhavikā nandirāgasahagatā tatratarābhinandinī, seyyathidaṃ– kāmataṇhā, bhavataṇhā, vibhavataṇhā. –Ibid

Third, the sorrow can be permanently eradicated.<sup>285</sup> Fourth, there is a path to avoid the sorrow.<sup>286</sup> Buddha shown the eight-fold path for the permanent deliverance from the sorrow.<sup>287</sup> This is the fundamental theory of Buddhism. Whole philosophy, logic, and essence of preaching in Buddhism exit around these four noble truth. The canvas of Buddhist ideology and theory is very vast. The *Triratna* of Buddhism are *Buddha*, *Dhamma*, and *Saṅgha*. All these were open for all. Buddha told that every creature can be the Buddha if he follow the path shown by Buddha. *Dhamma* was the path to be the Buddha and *Saṅgha* was the place where the all Buddhist meet together without any distinction. The concept of *Saṅgha* was the prime contribution of Buddhism. It was the platform open for all, for all communities beyond the social status, *varṇa* and caste. The five conducts of life called the “*Pañcaśīla*.” Buddha avoided all kinds of supernaturality including the existence of soul and God. His path was very simple, practical and easily accessible by all. Buddha was the great logician. His way of expression of knowledge made him “Lord Buddha.”

#### 4.2. Social Aspect of Buddhism

Buddha was not only the philosopher but also the great social reformer. When he started the *Dhamma*, social condition was poor and society was suffering form sacerdotalism, *varṇa*-based inequality, untouchability, and many other problems. Buddha saw that basic structure and its divinity was effecting the society more than other problems. The divine theory of *varṇa* order (described in Vedic, *Rāmāyaṇa* and *Mahābhārata* section) was distinctive factore identified by Buddha. *Puruṣa Sūkta* of *Ṛgveda* gave this theory where all frou *varṇa* originated from the various parts of *Paramapuruṣa*. *Brāhmaṇa* claimed themselves, originated from the mouth of *Brahmā*. They originated the *Kṣatriya* from the arms of *Brahmā*, *Vaiśya* from thigh and *Śūdra* from the feet of that *Paramapuruṣa*. *Brāhmaṇa* was

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<sup>285</sup> . *Dukkhanirodhaṃ ariyasaccaṃ*– yo tassāyeva taṇhāya asesavirāganirodho cāgo paṭinissaggo mutti anālayo. –Dhammacakkapavattanasutta (Samyutta Nikāya, 3.12.2)

<sup>286</sup> . *Dukkhanirodhagāminī paṭipadā ariyasaccaṃ*– ayameva ariyo aṭṭhaṅgiko maggo. –Ibid

<sup>287</sup> . *Ayameva ariyo aṭṭhaṅgiko maggo, seyyathidaṃ*– sammādiṭṭhi sammāsankappo sammāvācā sammākammanto sammāājīvo sammāvāyāmo sammāsati sammāsamādhi. –Ibid

on the top only because this theory originated this community from the mouth of *Brahmā*. *Brāhmaṇa* had many relaxations in this system. All remaining varṇas were for their service and they presented themselves as the divine son.

Buddha rejected this theory. There are many conversations of Buddha with *Brāhmaṇa*, where he logically and theoretically rejected the divine theory and opened their view of equality and unity. *Assalāyana Sutta* is very famous in this regard. *Assalāyana* was a *Brāhmaṇa*. When Buddha was staying in the Jetavana garden of *Anāthapiṇḍaka* in *Sāvatti*, *Assalāyana* came to him and asked *Gotama* (Buddha) about his apposite approach about varṇa system. He said that only the *Brāhmaṇa* is the supreme varṇa but not others, only *Brāhmaṇa* are fair coloured but others are black coloured, only *Brāhmaṇa* are intelligent and rest of the people are not, only *Brāhmaṇa* are the pure son (*puttā orasā*) of *Brahmā* because *Brahmā* create them very first and they originated from his mouth.<sup>288</sup>

*Assalāyana* asked this question from various dimentions. Buddha peacefully heard him. After the end of question, Buddha started replying him. He gave four major scientific logics and asked for the opinion of *Assalāyana*. He asked to *Assalāyana* very first question but he told him the seciario and process of birth of a child. He said that there are four conditions through a child comes in this world. First condition is the felame of *brāhmaṇa* becomes able to be pregnant after their menstruation. It means a child female and an old female can't able to be the mother, only the menstruating-age female can be the mother. Second condition, the female and male conduct the intercourse with each other and female gets pregnant. Third condition, they gives the birth after proper and particular period. Fourth condition, the mother feed her milk to new born baby. These four conditions create a human. So tell me *Assalāyana* if you did not pass through this process and you came direct from the mouth of

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<sup>288</sup> . Kho assalāyano māṇavo bhagavantam etadvoca- "brāhmaṇā, bho gotama, evamāhaṃsu- 'brāhmaṇova seṭṭho vaṇṇo, hīno añño vaṇṇo; brāhmaṇova sukko vaṇṇo, kaṇho añño vaṇṇo; brāhmaṇova sujjhanti, no abrahmaṇāḥ; brāhmaṇāva brahmuno puttā orasā mukhato jātā brahmajā brahmanimmitā brahmadāyādā'ti. Idha bhavaṃ gotamo kimāhā'ti?

*Brahmā?* (If you say that you came through this process then) How can you say that only you are the great and others are not?<sup>289</sup>

Buddha gave him second logic and told him that there are two neighbor countries; *Yavana* and *Kamboja*. Both have the human beings and there are only two communities in their states. First community is noble people (*Ārya*) and second community is slave. There are no social concept of four *varṇa*. Their social status, masterhood or slavery is not the birth-based but a capable slave can buy his slavery and gets free. A noble man can be the slave if he sells himself by any price or condition. In this condition, how can you (*Assalāyana*) claim about yours superiority and divinity of *varṇa* system?<sup>290</sup>

*Assalāyana* approved the logics of Buddha and gave his opinion in favour of him. Now, Buddha gave him third interesting logic. Buddha says if a king calls *brāhmaṇa*, *kṣatriya*, and other upper *varṇa* people and gives him the sandalwood, shawl wood. He calls the lower caste people like *caṇḍāla*, *ninṣāda*, *vena* and gives them the wooden pots which are being use for feeding the dogs and pigs. Now, he asks all of them to flame these woods. Fire-colour of all fires will be the same. So, *Assalāyana*, tell me, can the fire of anyone will not do its work? If you say yes, then how can you claim that you are the supreme race instead of others?<sup>291</sup>

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<sup>289</sup> . Kho pana, assalāyana, brāhmaṇānaṃ brāhmaṇiyo utuniopi gabbhiniyopi vijāyamānapi pāyamānapi te ca brāhmaṇiyonijāva samānā evamāhaṃsu– ‘brāhmaṇova seṭṭho vaṇṇo...’”ti. –Assalāyana Sutta, 402

<sup>290</sup> . Yonakambojesu aññesu ca paccantimesu janapadesu dveva vaṇṇā– ayyo ceva dāso ca; ayyo hutvā dāso hoti, dāso hutvā ayyo hoti’”ti. –Assalāyana Sutta, 403

<sup>291</sup> . Idha rājā khattiyo muddhāvasitto nānājaccānaṃ purisānaṃ sannipāteyya– ‘āyantu bhonto ye tattha Khattiyakulā brāhmaṇakulā rājaññakulā uppannā, sākassa vā sālassa vā salaḷassa vā candanassa vā padumakassa vā uttarāraṇiṃ ādāya, aggiṃ abhinibbattentu, tejo pātukarontu. āyantu pana bhonto ye tattha caṇḍālakulā nesādakulā venakulā rathakārikulā pukkusakulā uppannā, sāpānadoṇiyā vā sūkaradoṇiyā vā rajakadoṇiyā vā eraṇḍakaṭṭhassa vā uttarāraṇiṃ ādāya, aggiṃ abhinibbattentu, tejo pātukarontū’ ti. –Assalāyana Sutta, 408

Buddha was well-awared and expert in every discipline. He found *Brāhmaṇa* as the root-cause of social inequality because *Brāhmaṇa* created the divine theory of *varṇa* origin from the various parts of *Paramapurusa* and put themselves on the top of the society. Therefore, Buddha especially targeted to the creator community of *varṇa* and caste order and told the people about the myth and reality of the system. Not only Buddha but also his follower experts did the same. *Mahākaccāna* was great follower of Buddha and when he was conducting *Vipassanā* in the *Gundāvana* of *Madhurā*, the son of king of *Avanti* came to him and asked about the superiority of *Brāhmaṇa*. *Mahākaccāna* counterd his misconceptions and established that every *varṇa* are equal but the actions make the man lower or higher. If any *Brāhmaṇa* will conduct evil acts, he will fall in the *Apāyagati* but any lower caste man can be the noble if he conducts the good and welfare acts.<sup>292</sup>

During the visit of *Kaṇṇakatthala* deer-park, the king of *Kośala* met to Buddha and asked about the same question. Buddha repied him and established the equality among all the people.<sup>293</sup> It is remarkable that Buddha did not opposed or neglected any community or man or women. He was against the caste and *varṇa* inequality but he never stopped conservations with *Brāhmaṇa*. He always welcomed all people from all sections. No any evidence seems in Pali literature, where Buddha stopped any *Brāhmaṇa* from his Saṅgha. His social, political, economic, religious and faith-based conception were very clear and all were based on the equality. He was first and great supporter of human rights.

### 4.3. Buddhist theory of *Varṇa* origin

Buddha did not only abolished the birth based *varṇa* theory but also established his own conception. Vedic tradition, *Rāmāyaṇa*, *Mahābhārata* says that first *varṇa* was *Brāhmaṇa* and remaining three *varṇa* became added in later through a long process. Buddha gave his own opinion about the *varṇa* origin.

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<sup>292</sup> . Madhurasutta (Majjhimanikāya, Part 2. Section 4. Sutta 4)

<sup>293</sup> . Kaṇṇakatthalasutta (Majjhimanikāya, Part 2. Section 4. Sutta 10)

*Aggañña Sutta* of *Dīghanikāya* provides the huge description about Buddhist *varṇa* theory. This Sutta is based on the conversation between Buddha and two *Brāhmaṇas* named *Vāseṭṭha* and *Bhāradvāja*. Both came to know about the superiority of *Brāhmaṇa* in *Varṇa* system.

Buddha widely describe the gradual development of the world. There was no any social distinction in the early time. All people were living together like one family. They were collectively conducting the agriculture. The agricultural land was on and on any boundary or fieldyard had been created. Whole of them had bounded with each other. People started leaving the practice of truth, non-violence, and other bad activities and the greed got increased among them. They crated fieldyards and divided the field. They started stealing the paddy from fields. They all became sinners and started fight with each other. When all things gone wrong and whole society divided and faught, some of them thought the situation and realized their crime and mischieves.

Then, the people decided to appoint a strong man for protection and proper operating the clan. This man got appointed by the common agreement and also by the tradmens so he got the name “*Mahāsammata*.” He was appointed as the chief of the fields (*Khettānaṃ Adhipatī*), so he became the *Khattiya* (*Kṣatriya*). He was appointed for securing the happiness of the people (*Dhammena pare rañjetīti*), so he became famous by the word *Rājā* (king).<sup>294</sup> Some people started living their lives with all moral conducts. These became known as *Brāhmaṇa*. They left the villages or towns and started living in forests for meditation by making the hermitages. They were called “*Dhyāyaka*” because they gone to

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<sup>294</sup> . Mahājanasammatoti kho, vāseṭṭha, ‘mahāsammato, mahāsammato’ tveva paṭhamam akkharam upanibbattam. Khettānaṃ adhipatīti kho, vāseṭṭha, ‘khattiyo, khattiyo’ tveva dutiyam akkharam upanibbattam. Dhammena pare rañjetīti kho, vāseṭṭha, ‘rājā, rājā’ tveva tatiyam akkharam upanibbattam. Iti kho, vāseṭṭha, evametassa khattiyamaṇḍalassa porāṇena aggaññena akkharena abhinibbatti ahoṣi tesamyeva sattānaṃ, anaññesaṃ. Sadisānaṃyeva, no asadisānaṃ. Dhammeneva, no adhammena. Dhammo hi, vāseṭṭha, seṭṭho janetasmim diṭṭhe ceva dhamme abhisamparāyaṇca.

forest for study and austerity. Some of them turned to villages and started the professional teaching and writing became the *A-dhyāyaka*.<sup>295</sup>

Some of them started multi-purpose trade works, other, and they known as ‘*Vessa*’ due to their *Vissak-Kammānta* (variety-ful non-dhammika works).<sup>296</sup> Remaining people followed the path of greed (*Luddācārā*) and enormity (*Khuddācārā*). That is why; they called the *Suddā* (*Śūdra*).<sup>297</sup> Thus, only Dhamma was the root-cause of social distinction<sup>298</sup> but all these four varṇa has same origin according to the explanation of Buddha.

Above mentioned description has some remarkable features. First, Buddha tried to connect all varṇa like the one they originated from one clan. Second, *Kṣatriya* got the superiority in Buddhist theory of *varṇa-origin*. Third, Dhamma declared as the parameter and base of later social-distinction. Fourth, it denied two birth-based theories of Vedas and later-Vedic epics, where four varṇa originated from four separate parts of divine male or all four varṇa added in *Varṇa* system, one by one. Fifth, Buddhism never criticized or blamed to any community or man for bad situation. Buddha saw that strong people are discriminating the weaker communities. So, he tried to control the strong communities and pulled up them from the

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<sup>295</sup> . Pāpake akusale dhamme vāhentīti kho, vāseṭṭha, ‘brāhmaṇā, brāhmaṇā’ tveva paṭhamam akkharam upanibbattam. Te ghāsam paṭilabhitvā punadeva araṇṇāyatane paṇṇakuṭṭisu jhāyantī’ti, jhāyantīti kho, vāseṭṭha, ‘jhāyakā, jhāyakā’ tveva dutiyam akkharam upanibbattam. Tavenam manussā disvā evamāhamsu– ‘ime kho, bho, sattā araṇṇāyatane paṇṇakuṭṭisu tam jhānam anabhisambhuṇamānā gāmasāmantam nigamasāmantam osarivā ganthe karontā acchanti, na dānime jhāyantī’ti. na dānime jhāyantīti kho, vāseṭṭha, ‘ajjhāyakā, ajjhāyakā’ tveva tatiyam akkharam upanibbattam.

–Aggañña Sutta, Brāhmaṇamaṇḍalam, 132. (Dīghanikāya, Part 3, Sutta 4)

<sup>296</sup> . Tesamyeva kho, vāseṭṭha, sattānam ekacce sattā methunam dhammam samādāya visukammante payojesum. Methunam dhammam samādāya visukammante payojentīti kho, vāseṭṭha, ‘vessā, vessā’ tveva akkharam upanibbattam. –Aggañña Sutta, Vessamaṇḍalam, 133. (Dīghanikāya, Part 3, Sutta 4)

<sup>297</sup> . Tesaññeva kho, vāseṭṭha, sattānam ye te sattā avasesā te luddācārā khuddācārā ahesum. luddācārā khuddācārāti kho, vāseṭṭha, ‘suddā, suddā’ tveva akkharam upanibbattam.

–Aggañña Sutta, Suddamaṇḍalam, 134. (Dīghanikāya, Part 3, Sutta 4)

<sup>298</sup> . Dhammo hi, vāseṭṭha, seṭṭho janetasmim diṭṭhe ceva dhamme abhisamparāyaṇca. –Ibid.

mud of unethical occupations, blind-faith, and all other immoral activities. It was the social approach of Buddhism where all communities were included. Buddhism did not supported any kind of distinction among people. It supported the free occupation that were chosen by the people and nobody force them for any particular occupation.

#### **4.4. Political Principles and theories in Buddhism**

Buddha's political approach was clean and clear like his all other visions and views. Buddha was very great, honest, accountable and intellectual member of Śākya council before his exile. He had eight years experience of governance and polity. *Bimbisāra* offered him the half of his whole kingdom when *Siddhārtha* met him before his enlightenment. All these facts and mentalities seems in political aspect of Buddhism. It is remarkable that Buddha did not support or oppose any structure or form of government. He was equally respectable for both, kingdoms and republics. This fact made the Buddhism very relevant for all the governments and states. He did not support any ruling style but his suggestions and directions are very useful for all governmental systems including republics and democracies. He was expert in polity and well-aware about the diplomatic conditions. This political highness seems in the preachings and sermons of Buddha whenever he suggested or directed the kings. Many kings were his close friends and they became his first-row-followers after his enlightenment. *Bimbisāra* of Magadha, *Pasenjit* of *Sāvatti*, king of *Vatsa Mahājanapada* were the famous followers. *Vajji*, *Malla*, *Vaiśālī* were the strong republics and all were highly dedicated to listen the Desanā of the Buddha.

##### **4.4.1. Buddhist directive principles for republic state**

Once upon a time, the king of Magadha *Ajātaśatru* desired to attack on *Vajji*-Republic but he was not sure about circumstances. He sent his Minister *Vassakāra (Brāhmaṇa)* to Buddha for necessary consultation. Minister met to Buddha and told the request of *Ajātaśatru*. *Ānanda*, the pupil of Buddha was just behind of him. Buddha addressed *Ānanda* and told to the minister about the seven observations of *Vajji*-republic. He also said that until the *Vajji* will follow these seven principles, they will only make progress until then. First principle is, the *Vajji* people always conduct the meetings on regular basis and they never stop it. They



never do any effort without consultaion with each other.<sup>299</sup> People of *Vajji* were always conducting the welfare effort together; they always make their plans together and execute them together. Means their all effort is very inclusive and every citizen has included in the nation building process. It is their second principle. They always conduct their plans and efforts together.<sup>300</sup> Citizen of *Vajji*-republic are very strick about the respect of law. They did not convert the unlawful acts to lawful manner. Illegal is purely illegal for them and they follow their old clan rule regarding the legal process and it is their third principle.<sup>301</sup> The *Vajji* citizens always respect their elderlies. They always praise their old people. This habit is very appreciable because the experienced elderlies give them practical suggestion by their life expciences. They are knower of many unknown facts. The happiness of elder people always carry forward the good fruits. It is their fourth noble principles.<sup>302</sup> *Vajji* republic respects the women. The married elite women and the princess of that republic never face any perforce for any work or burden. Means the males of that republic choose their life partners afthe the agreement of female. Nobody apply any type of force for achieving them. It is the fifth noble principle of *Vajji* republic.<sup>303</sup> They always preserve their holly monesteries and other religious places located inside and outside of their cities. They always sacrifice gifts for the monesteries and continuously contribute for their preservation. It is

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<sup>299</sup> . Yāvakīvañca, ānanda, vajjī abhiñham sannipātā sannipātabahulā bhavissanti, vuddhiyeva, ānanda, vajjīnaṃ pāṭikañkhā, no parihāni. –Dīghanikāya, Mahāvaggapāli, Mahāparinibbānasutta, Sutta No. 134.

<sup>300</sup> . Yāvakīvañca, ānanda vajjī samaggā sannipatissanti, samaggā vuṭṭhahissanti, samaggā vajjikaraṇīyāni karissanti, vuddhiyeva, ānanda, vajjīnaṃ pāṭikañkhā, no parihāni. –Ibid.

<sup>301</sup> . Yāvakīvañca, ānanda, "vajjī apaññattaṃ na paññapessanti, paññattaṃ na samucchindissanti, yathāpaññatte porāṇe vajjidhamme samādāya vattissanti, vuddhiyeva, ānanda, vajjīnaṃ pāṭikañkhā, no parihāni.

–Ibid.

<sup>302</sup> . Yāvakīvañca, ānanda, vajjī ye te vajjīnaṃ vajjimahallakā, te sakkarissanti garuṃ karissanti mānessanti pūjessanti, tesañca sotabbaṃ maññissanti, vuddhiyeva, ānanda, vajjīnaṃ pāṭikañkhā, no parihāni.

–Ibid.

<sup>303</sup> . Yāvakīvañca, ānanda, vajjī yā tā kulitthiyo kulakumāriyo, tā na okkassa pasayha vāsessanti, vuddhiyeva, ānanda, vajjīnaṃ pāṭikañkhā, no parihāni.

–Ibid.

their sixth principle and they are aware about their cultural and religious heritage.<sup>304</sup> Seventh and last principle is very important. The *Vajji* republic is always ready to welcome the *Arhat*, means the *Bodhisattva* or noble men. They praise them with pure heart and always make the atmosphere on their republic for such people because these type of ascetic people always bring blessings with them. These divine people always give the exact direction to the state by their highest intellect.<sup>305</sup>

These are not just remedies for a republic but are the parameter also for the citizen and government. *Vajji* was the strongest republic and it was the federation of many republic and non-republic clans. The *Vassakāra* listen the Buddha carefully and finally left without saying anything because he became know that *Vajjis* are undefeatable because Buddha gave them direction for making the inclusive republic. These seven sermons delivered by Buddha at a time and *Vajjis* were following those directive principles since they got these.

#### 4.4.2. Buddhist approach for peacekeeping within the state

Buddha did not only described about republic states but also told the treatments for domestic peacekeeping for monarchial states. Buddha narrated a fable for *Kūṭadanta Brāhmaṇa*, who was the caretaker of *Khāṇumata brāhmaṇa* village under the Magadha kingdom of *Bimbisāra*<sup>306</sup> and he asked Buddha for conducting a sacrifice. Lord Buddha told him the story of the king *Mahāvijita*. He was king of a largest kingdom from ocean to Himalaya. Once, he wished to conduct a sacrifice and he called his priest for this concern. The priest told the actual domestic situation of the state of *Mahāvijita*. His state was suffering from

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<sup>304</sup> . Yāvakīvaṇca, ānanda, vajjī yāni tāni vajjīnaṃ vajjicetiyaṇi abbhantarāni ceva bāhirāni ca, tāni sakkarissanti garuṃ karissanti mānessanti pūjessanti, tesaṇca dinnapubbaṃ katapubbaṃ dhammikaṃ baliṃ no parihāpessanti, vuddhiyeva, ānanda, vajjīnaṃ pāṭikaṅkhā, no parihāni.

–Dīghanikāya, Mahāvaggapāli, Mahāparinibbānasutta, Sutta No. 134

<sup>305</sup> . Yāvakīvaṇca, ānanda, vajjīnaṃ arahantesu dhammikā rakkhāvaraṇagutti susaṃvihitā bhavissati, kinti anāgatā ca arahanto vijitaṃ āgaccheyyūṃ, āgatā ca arahanto vijite phāsu vihareyyunti. vuddhiyeva, ānanda, vajjīnaṃ pāṭikaṅkhā, no parihānī'ti. –Ibid.

<sup>306</sup> . Kūṭadantasutta (Dīghanikāya, Vagga-1, Sīlakkhandhavaggapāli. Sutta-5)

many domestic problems on four level. Villagers were being looted by village-heads, authorities were corrupt, cities were unsafe and city-officers were forcibly bribing the citizens, paths and highways has fear of robbers and criminals.<sup>307</sup> O king! You should abolish these problems first of all and maintain the fear and corruption free atmosphere in the state. Only punishment and force cannot establish the peace.<sup>308</sup> You should promote the agriculture by providing the seeds and other necessary things to the farmers. Animal husbandry should be promoted by giving the shelter and security. Business, trade and other commercial activities should be protected and promoted by providing the favourable atmosphere for business and marketing. Sufficient payment and other funds should be provided for the governmental officers and staffs, so that they never feel the lack of money and try to earn it by corruption. Thus, all the people will be busy in their works and they will produce more revenue for the state. Your state will be free from all type of corruptions and misconducts.<sup>309</sup>

Buddhist style of peacekeeping is different from Vedic, Epic, and *Dharmaśāstric* style. It don't emphasize on heavy punishments but provides the permanent solution for the problems. Work and employment for every citizen is only the way to eradicate the corruption, robbery, and other unlawful activities. If the farmer will get seeds, water and resources on time, they will be busy in agricultural activities, animal husbandry and other occupations provides the livelihood for unskilled workers and favourable marketing and

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<sup>307</sup> . Bhoto kho rañño janapado sakaṇṭako sauppīlo, gāmaghātāpi dissanti, nigamaghātāpi dissanti,  
nagaraghātāpi dissanti, panthaduhanāpi dissanti. –Kūṭadantasutta, 4. 338

<sup>308</sup> . Ahametam dassukhīlam vadhena vā bandhena vā jāniyā vā garahāya vā pabbājanāya vā  
samūhanissāmī'ti. –Ibid

<sup>309</sup> . Tena hi bhavam rājā ye bhoto rañño janapade ussahanti kasigorakkhe, tesam bhavam rājā bījabhattam  
anuppadetu. Ye bhoto rañño janapade ussahanti vāñijjāya, tesam bhavam rājā pābhatam anuppadetu. Yo  
bhoto rañño janapade ussahanti rājaporise, tesam bhavam rājā bhattavetanam pakappetu. Te ca manussā  
sakammapasutā rañño janapadam na vihetthessanti; mahā ca rañño rāsiko bhavissati. Khemaṭṭhitā  
janapadā akaṇṭakā anuppīlā. Manussā mudā modamānā ure putte naccētā apārutagharā maññe  
viharissantī'ti. –Ibid

commercial atmosphere brings the opportunities for corporate people and also for skilled workers. If the governmental officials and staff will get the payment and bonus on time, they will bear their duties with full dedication. Means all the domestic problems can be solved in positive and proper manner without applying the heavy and cruel punishing system.

Buddhism don't support the cruel and radical punishment code of conducts. Such acts are not the permanent solutions and it has high possibility of public rebellion. The story of king *Daḍhanemi's* dynasty in *Cakkavattisutta* indicates in this regard. The seventh generation king of *Daḍhanemi's* dynasty stopped the donation and contribution for needy people. This situation created huge financial and status based boundary among people. When the common citizen opposed him, he started slaughtering the people by sword. Finally his kingdom got ruined and he faced the devastation.<sup>310</sup>

*Mahācora Sutta* describes about the thief and compared it with an unethical *Bhikkhu*.<sup>311</sup> The big and most cruel thief has three shelters; first shelter is the river or valley (*visamanissito*), second is dense forest of trees or grass, and third is the shelter given by king or his minister (*balavanissito*).<sup>312</sup> Third shelter is very important for the thief. He frequently robs the people and their homes and even in the paths because the king or his any minister gives him the shelter. The thief has always the confidence that anybody will say anything, the king or minister will favour him. If he will declared as criminal, the king or his any minister will save him from the system and punishment.<sup>313</sup> Same character seems in the artificial, unethical, unprincipled saint, priest, and *Bhikkhu*. The corrupt conducted *Bhikkhu*

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<sup>310</sup> . Cakkavattisutta (Dīghanikāya, 3.3)

<sup>311</sup> . Aṅguttaranikāya, 3.5.11 (Aṅguttaranikāya> Triknipāta> Cūḍavagga> Mahācorasutta)

<sup>312</sup> . Idha, bhikkhave, mahācoro visamanissito ca hoti, gahananissito ca hoti, balavanissito ca hoti.

–Mahācorasutta, 51

<sup>313</sup> . Kathaṅca, bhikkhave, mahācoro balavanissito hoti? Idha, bhikkhave, mahācoro rājānaṃ vā rājamahāmatānaṃ va nissito hoti. Tassa evaṃ hoti– ‘sace maṃ koci kiñci vakkhati, ime me rājāno vā rājamahāmatā vā pariyodhāya atthaṃ bhaṇissanti’ ti. Sace maṃ koci kiñci āha, tyāssa rājāno vā rājamahāmatā vā pariyodhāya atthaṃ bhaṇanti. Evaṃ kho, bhikkhave, mahācoro balavanissito hoti.

–Ibid.

(*Pāpabhikkhu*) also has three shelters. First sinful shelter of corrupt saint or monk is his own body, voice, heart and acts (*visamanissito*).<sup>314</sup> Second shelter of an unethical monk is his corrupt and bad sight.<sup>315</sup> Third and important shelter is the shelter given by king or minister. The corrupt saint or monk has always confidence that the king or his minister will save him if he will conduct any crime or bad habit. The great social defaulters have always the relations with governmental heads. They conduct all their bad businesses under the shelter of king or minister.<sup>316</sup> Essence of this Sutta is an advice to the kings. They should never provide any type of direct or indirect shelter to any defaulter, farud or corrupt people especially the serious criminals and corrupt and unmannered saints or monks.

These are some selective examples of Buddhist political principles. The eternity of these theories and principles took place because Buddha's political ideas were not bounded with any form of governance but he suggested the kings and republics equally for their welfare. Buddha never suggested for the battle to any king. He was the peace-follower. Buddha has clear vision about polity. He preferred the peace of mind, heart, intellect and human being. His rules and principles had equal capacity to adopt any personality from the common man to the king. Democratic values has more place in Buddhist polity.

These characteristics made the Buddhism inclusive and global. Every state and king adopted the directions and suggestions of Buddhism very easily. Only the welfare of state, only the good and mannered practices for all made this religion global. That is why; Lord Buddha's

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<sup>314</sup> . Idha, bhikkhave, pāpabhikkhu visamena kāyakammena samannāgato hoti, visamena vacīkammena samannāgato hoti, visamena manokammena samannāgato hoti. Evaṃ kho, bhikkhave, pāpabhikkhu visamanissito hoti. –Mahācorasutta, 51

<sup>315</sup> . Idha, bhikkhave, pāpabhikkhu micchādiṭṭhito hoti, antaggāhikāya diṭṭhiyā samannāgato hoti. Evaṃ kho, bhikkhave, pāpabhikkhu gahananissito hoti. –Ibid.

<sup>316</sup> . Idha, bhikkhave, pāpabhikkhu rājānaṃ vā rājamahāmatānaṃ vā nissito hoti. Tassa evaṃ hoti– ‘sace maṃ koci kiñci vakkhati, ime me rājāno vā rājamahāmatā vā pariyodhāya atthaṃ bhaṇissanti’ ti. Sace maṃ koci kiñci āha, tyāssa rājāno vā rājamahāmatā vā pariyodhāya atthaṃ bhaṇanti. Evaṃ kho, bhikkhave, pāpabhikkhu balavanissito hoti. –Ibid.

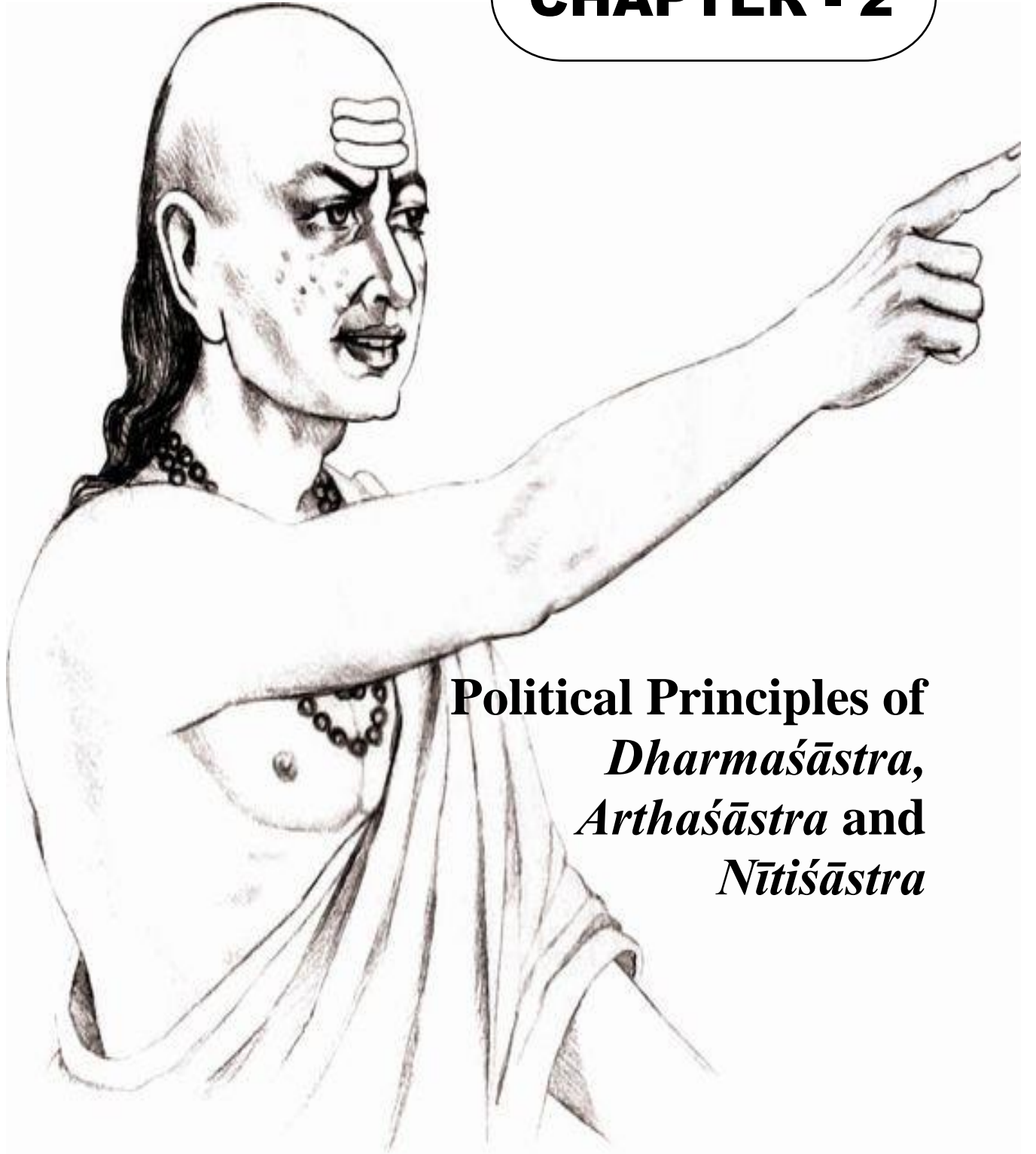
contribution did not only for the Indian sub-continent but also for whole of the world. King and common people equally listened him from equal place.

Four pillars of Ancient India's polity are the Vedic literature, *Rāmāyaṇa*, *Mahābhārata* and Buddhism. All had separate theories, ideologies and conceptions towards the polity. Buddhist revolution carried the era-transformative principles in the whole scenario. Vedas are first known source of knowledge in India. Their theories described the origin of socio-political and economic organizations and institutions. The appearance of Buddhism was between Vedic and Later-Vedic periods. Vedas, *Rāmāyaṇa*, and *Mahābhārata* presented the ideals of the polity and shown the path of successful kingdoms according to Sanātana point of view. Their theories was based on many fables and imaginary states. But the appearance of Buddhism changed the scenario. He was himself a prince of great Śākya republic and had eight years long and active political experience. He converted his experience and observations during *Desanā* for kings and rulers.

When Buddhism covered most of the parts of this sub-continent, crossed the boundaries of ocean in south and entered in Siṃhaladvīpa, China, Tibet, Thailand, and other continental countries, the *Sanātana* polity started its self-evaluation. The result of this evaluation were the two great political epics; *Rāmāyaṇa* and *Mahābhārata*. These both epics are the stories of dynasties and battle for kingships. First was influenced by the feeling of renunciation and second's struggle was result of over-greediness. Composers of both epics are the active characters of their epics. Wherever the story seemed broken these two seers came in the stage and continued it. Both tried to sketch the ideal poity according to *Dharmaśāstra*, *Arthaśāstra* and *Nītiśāstra*. *Mahābhārata* is the political encyclopedia of anciet India's polity. The real face of polity and applied form of polity can easily observed in this epic.

The great king Ashoka, Kanishka, Harsha, and many kings followed the path of Buddha and got the global fame. The golden era of Gupta dynasty carried forward the Hindu polity and established the best example of welfare state. These four pillars of polity created the strong foundation for later political ideas. This maturity reflected in form of *Dharmaśāstra*, *Arthaśāstra*, and *Nītiśāstra*.

## CHAPTER - 2



**Political Principles of  
*Dharmaśāstra,*  
*Arthaśāstra* and  
*Nītiśāstra***

## Chapter – 2

### Political Principles of *Dharmaśāstra*, *Arthaśāstra* and *Nītiśāstra*

This chapter principally focuses on those disciplines, which particularly came into existence after the establishment of Aryan civilization in Indian sub-continent, which laid out various perspectives related to the extension of political ideas, thoughts, statecraft, social customs and duties, lifestyles, socio-political, politico-economic and religious concepts. These perspectives have continuously been forming since this civilization came into existence. The previous chapter has laid out the most advantageous values and virtues in Vedas, in different dimension such as social, political, and diplomatic. Some dogmas are eternal, still relevant, and as valuable as they were at the time of its origin. The first chapter focused on the origin of politics, and its application. *Vedas*, *Brāhmaṇa*, Buddhism provided the fundamental doctrines of the polity, but they did not help them to make it as a debate at central this debate at the central point of tradition as in theoretical form. Epics provided the applied ways and the concept of ideal state and governments as described in Vedas. Epics had also not provided any theory and formation of politics. Those were just the applied form of politics, and their political doctrines were depended on the *Vedic*, *Dharmaśāstric*, and other political debates and theories. They tried to bring the political doctrines into their practice. Both *Rāmāyaṇa* and *Mahābhārata* also presented the tableau of ideal state and government. Both established the supremacy of *Brāhmaṇa Varṇa* and determined that patriarchal lineage tradition based Monarchical system of government is the best political way to rule over the state.

Despite having a great tradition, there was some emptiness in ancient time. Training of princes, warfare, state, and its society was getting advancement on day-by-day basis. Only by preaching and prays could not deal with emerging political issues. So this vacuum became the base of formation of the political school of knowledge and established a well-shaped tradition of the polity of Aryan civilization. It is also preferable that political theories and doctrines were secondary when proper texts regarding state and society started taking place. They emphasized on the purity, accuracy of the life, and social customs. Sociology was



supreme, and polity was its sub-part. Evolution of society and knowledge gave a separate identity to the polity. Finally, three branches of polity came into existence: *Dharmaśāstra*, *Arthasāstra*, and *Nītiśāstra*. There is a huge chain of debate about their existence, nature, and independence. This chapter will deal with these topics.

### 1. Introduction to *Dharmaśāstra*

The word ‘*Dharma*’ has vast and deep meaning in India’s intellectual tradition. It has many dimensions. Various schools of knowledge have defined this technical term as per their point of view. *Pūrvamīmāṃsā* took it as the inspirational and motivational rules and sentences of Vedas, which guides a man on the way of good behavior and conducts.<sup>1</sup> *Vaśiṣṭhadharmasūtra* says that all rules, regulations, duties, responsibilities, and moralities are described in *Veda* and *Smṛti*; known as ‘*Dharma*’.<sup>2</sup> *Dharma* is the base of the world, and all folks depend on *Dharma*. Scholars found the four types of ‘*dharma*’ during the study of *Dharmaśāstra*: first, *Varṇadharmā*; second, *Āśramadharmā*; third, *Naimittika* or *Prāyaścitta* *dharma* and fourth is *Guṇadharmā* (duty of king).<sup>3</sup>

All behavior, eternal, and unfragmented system created by the human being is continuous because of *Dharmaśāstra*.<sup>4</sup> That is why; all schools of knowledge can be included within the *Dharma*. *Veda* is the root of *Dharma*.<sup>5</sup> While talking about the “*Dharmaśāstra*,” a particular school of knowledge, only the *Smṛti* claim itself as the *Dharmaśāstra*.<sup>6</sup> But later scholars and commentators included *Sūtra*, *Smṛti* both under *Dharmaśāstra*. P.V. Kāṇḍe

<sup>1</sup> . Codanālakṣaṇo’rtho dharmah.

–Jaiminisūtra, 1.1.2

<sup>2</sup> . Śrutismṛtivyahito dharmah

–Vaśiṣṭhadharmasūtrāṇi, 1.4.6

<sup>3</sup> . Pandey, Umesh Chandra (Trans.), “Dharmasūtrāṇi”, Introduction, p. 16.

<sup>4</sup> . Dharmo viśvasya jagataḥ pratiṣṭhā loke dharmiṣṭhaṃ,

Prajā upajīvanti dharmeṇa pāpamapanudati dharme,

Sarvaṃ pratiṣṭhitam tasmāddharmam paramam vadanti.

–Taittirīyāranyaka, 10.63

<sup>5</sup> . Vedo Dharmamūlam

–Gautama Dharmasūtra, 1.1.1

<sup>6</sup> . Śrutistu vedo vijñeyo dharmasāstraṃ tu vai smṛtiḥ,

Te sarvārtheṣvamīmāṃsye tābhyāṃ dharmo hi nirbabhau

–Manusmṛti, 2.10

included all disciplines within this vast canvas<sup>7</sup>, and it is true that an unlimited number of *Smṛti* and *Sūtra* texts were composed during a period of Indian literary history.

It is a cliché that the term *Dharmaśāstra* covers the textual tradition of both *Dharmasūtra* textual tradition and *Smṛti* textual tradition.<sup>8</sup> *Sūtra* and *Smṛti* jointly known as *Dharmaśāstra*. *Sūtra* literature is the chain between Vedic society and later Vedic society from a social point of view. The tradition of the evolution of Sanskrit literature seems like the link between Vedic and *Smṛitic* literature.

When the transformation from Vedic to later Vedic literature was turning, *Sūtra* filled the blank space and forwarded the Vedic doctrines and ideas to *Smṛti* tradition. However, it is very tough to put both textual traditions on any fixed chronological form. Therefore, this section will directly pick some major texts of *Dharmaśāstra* and analyze their political debate, doctrines, rules, and other aspects. There is a huge textual tradition of *Sūtra* texts like *Smṛti*. This tradition was mainly covering the social, religious, cultural, and economic life of a man. As per requirement of this discussion, some major and representative texts from *Sūtra* and *Smṛti* literature will be included in this chapter.

### **1.1. Political principles in *Dharmasūtra***

The post- Vedic period was challenging and crucial in this period; many small kingdoms transformed from small kingdoms to large states. Administrative awareness and social changes were also contributing to political affairs. All these conditions brought major changes in the thinking and in the society of contemporary India.

Before the deep discussion about political principles of *Dharmasūtra*, it is compulsory to see on the root and origin of this tradition. Base and origin of all knowledge are Vedas. There are six parts of Vedas for their better understanding, known as the term “*Vedāṅga*.” These

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<sup>7</sup> . History of Dharmashastra, Vol.1

<sup>8</sup> . The cultural Heritage of India, Vol. 2, p. 308

are Chanda, *Kalpa*, *Jyotiṣa*, *Nirukta*, *Śikṣā*, and *Vyākaraṇa*.<sup>9</sup> The personification of Veda is a concept where all these six parts presented as the various body part of *Veda-Puruṣa*. *Kalpa* is important because it declared as the hands of Veda.<sup>10</sup> *Sāyaṇa* says, “*Kalpyate samarthyate yāga prayogo 'tra*” means *Kalpa* is the rule-makers for the Vedic rituals.<sup>11</sup> Manuals on rituals known as *Kalpa*.<sup>12</sup> *Kalpa* has four parts: *Śrautasūtra*, *Gṛhyasūtra*, *Dharmasūtra*, and *Śulvasūtra*.<sup>13</sup> Every Veda has its separate *Dharmasūtra*. *Vaśiṣṭha* and *Viṣṇu Dharmasūtra* are *Kalpa* of *Ṛgveda*, *Āpastamba*, *Baudhāyana*, *Hiranyakeśī* are the *Dharmasūtra* of *Kṛṣṇayajurveda*, and *Gautama Dharmasūtra* is the *Dharmasūtra* of *Sāmaveda*.<sup>14</sup> This is the basic literature and distinction of *Dharmasūtra* under the *Kalpa Vedāṅga*. These are for the rituals and domestic rules and laws. Nevertheless, they also established the rules, regulations and other necessary discussions about the polity. Political theory or principles have described in this discipline for the fulfillment of the supreme goal, and that is to the successful proceeding of the rituals, society, and daily life.

### 1.1.1. Structure of the *Gautama Dharmasūtra*

It is the largest *Dharmasūtra*, and its canvas is very vast. *Gautama Dharmasūtra* has divided into three *Praśna* at first level. Every *Praśna* has many chapters and chapters are containing with *Sūtra*. First, *Praśna* has nine chapters, and there is no major political debate or theory seems in this *Praśna*. Second *Praśna* has also divided into nine chapters. *Āsramadharmā*, duties of *Varṇa*, duty, and practice for all, purity, morality and quality of king, the

<sup>9</sup> . Sadaṅgo vedaḥ chandaḥ kalpo vyākaraṇaṃ jyotiṣaṃ niruktaṃ śikṣācchando vicitiriti.

–Āpastamba dharmasūtra, 2.4.8.11

<sup>10</sup> . Chandaḥ pādaḥ tu vedasya hastau kalpo'tha paṭhyate,

Jyotiṣāmayanaṃ cakṣurniruktaṃ śrotamucyate.

Śikṣā ghrāṇaṃ tu vedasya mukhaṃ vyākaraṇaṃ smṛtam,

Tasmātsāṅgamadhītyaiva brahmaloke mahīyate.

–Pāṇinīyaśikṣā, 1.41-42

<sup>11</sup> . Āpastambadharmasūtram, p. 14.

<sup>12</sup> . Vedic Sāhitya aurā Saṃskṛti, p. 152.

<sup>13</sup> . Gautamadharmasūtrāṇi, Introduction., p. 5

<sup>14</sup> . Vedic Sāhitya aurā Saṃskṛti, pp. 160-161.

priest, penal codes and the structure and implementation of punishment and some other political theories have described in this *Praśna*. Third *Praśna* has divided into ten chapters, and remaining social and domestic provisions for society have described in this *Praśna*.

### 1.1.2. Political Principles in *Gautama Dharmasūtra*

Most of the scholars believe that this is the oldest *dharmasūtra*.<sup>15</sup> It primarily divided into three *praśna*. First, *praśna* has nine chapters; the second *praśna* also has nine chapters, but third and last has ten chapters.<sup>16</sup> The political discussion seems in the second and third *praśna*. The first evidence about polity jointly described for the King and the Vedic scholar *Brāhmaṇa*. Both are the bearer of the subject of folk.<sup>17</sup> People of all four *varṇa*, florals and faunas, reptiles and all other movable and immovable things (within a particular piece of land) are living under the subordination of King and Vedic Scholar *Brāhmaṇa*.<sup>18</sup>

### 1.1.3. Duties of the king according to *Gautama Dharmasūtra*

First duty had ordered to all three upper *varṇa*. Study Vedas, conducting the rituals and sacrifices, and to contribute for needy people.<sup>19</sup> The king's primary duty was the protection of the citizen, but *Gautama Dharmasūtra* emphasized that the king must protect not only his citizens but also all living and non-living beings, movable and immovable things, creatures.<sup>20</sup> The king should feed to all *brāhmaṇa* who are studying Vedas<sup>21</sup> and even for those, who have no source for livelihood.<sup>22</sup> “*Upakurvāṇāṃśca*”<sup>23</sup> *sūtra* had explained by the *Mitākṣarā* commentator *Haradatta* as the king should protect and arrange the livelihood

<sup>15</sup> . Kumar, Narendra, “Gautama Dharmasūtra”, p. XII

<sup>16</sup> . Ibid, pp. XV-XVI

<sup>17</sup> . Dvau loke dhṛtavratau rājā brāhmaṇaśca bahuśrutaḥ. –Gautama Dharmasūtra, 1.8.1

<sup>18</sup> . Tayoścaturvidhasya manuṣyajātasyāntaḥsaṃjñānām calanapatanasarpaṇānāmāyattaṃ jīvanam. –Gautamadharmasūtram, 1.8.2

<sup>19</sup> . Dvijātīnāmadhyayanamijyā dānam. –Gautamadharmasūtram, 2.1.1

<sup>20</sup> . Rājño'dhikaṃ rakṣaṇaṃ sarvabhūtānām. –Gautamadharmasūtram, 2.1.7

<sup>21</sup> . Bibhṛyādbrāhmaṇāṅśrotriyān. –Gautamadharmasūtram, 2.1.9

<sup>22</sup> . Nirutsāhāṃśca brāhmaṇān. –Gautamadharmasūtram, 2.1.10

<sup>23</sup> . Gautamadharmasūtram, 2.1.12

for Students (engaged in Vedic Study) and physicians (who cares the health of every citizen) of his state.<sup>24</sup> The king should regularly inspect his territory by chariot riding around the state.<sup>25</sup> King should strongly stand on the battleground just before the enemy and never retreat from the enemy.<sup>26</sup> By explaining the Sūtra, “*Tadrakṣaṇadharmitvāt*”<sup>27</sup> *Mitākṣarā* commentator *Haradatta* said that Protection of taxpayers was also an important duty for the king. Taxation and the taxpayers were the main sources of the king’s wealth. Therefore, the Gautama advised him to protect these people with full responsibility.<sup>28</sup> Protection of property of the child had ordered to the king in this *Dharmasūtra*. If a child is under the sixteen-year-old and he/she has no any family member, but he/she has wealth, the king should protect his/her wealth till the child grow and able to manage his/her property by himself/herself.<sup>29</sup>

These are duties of the king described by the Gautama. Some interesting facts are remarkable here. The king seems bound with some other institutions and people like *Brāhmaṇa*, the communities, and taxpayers and others. He is bound with the welfare of state and treated like the servant. It also said that king is the ruler, protector, and punishment giver for all his state but except the *Brāhmaṇa*.<sup>30</sup>

#### 1.1.4. Other political provisions in *Gautamadharmasūtra*

Political principles for the ruler also seems in this *Sūtra* text. Character, regulation, and the image of a ruler is essential, and it plays a significant role in his governance. This principle

<sup>24</sup> . Adhīyānā brahmacāriṇa upakurvāṇāstāmśca vibhryādannādidānena. Yadyarthinaḥ svayaṃ jīvitavanto vanasūkarādivyāvartanena. Aparā āha- upakurvāṇā lokopakurvāṇā vaidyādaya iti.

–Dharmasūtrāṇi, p. 95

<sup>25</sup> . Caryā ca rathadhanurbhyām

–Gautamadharmasūtram, 2.1.15

<sup>26</sup> . Saṅgrāme saṃsthānamanivṛttiśca

–Gautamadharmasūtram, 2.1.16

<sup>27</sup> . Gautamadharmasūtram, 2.1.28

<sup>28</sup> . Teṣāṃ karadāyīnāṃ rakṣaṇarūpeṇa dharmeṇa tadvattvāteṣāmayāṃ rakṣaka iti kṛtveti.

–Dharmasūtrāṇi, p. 99

<sup>29</sup> . Rakṣyaṃ bāladhanamāvyavahāraprāṇāt

–Gautamadharmasūtram, 2.1.48

<sup>30</sup> . Rājā sarvasyeṣṭe brāhmaṇavarjam.

–Gautamadharmasūtram, 2.2.1

seems in this *Sūtra* also. A king was the ruler over the state except for the *Brāhmaṇa* he had some exceptional rights and powers at the same time. These powers were existing due to his clean and characterful image. Showing the conscious about the character and morality of the king, *Gautamadharmasūtra* said, “*Sādhukārī sādhuvādī*”<sup>31</sup> means a king should behave according to the (moral and governmental) ethos and conducts. He should always speak the unbiased and impartial truth during the governmental process or project.<sup>32</sup> Operating the government, managing the administration, and deal with external challenges is quite tough for a common person. Therefore, the *Gautama* made the provision that a king must be the knower of all necessary discipline. He should be educated in *Vedatrayī* (*Rgveda*, *Yajurveda*, *Sāmaveda*) and in *Nyāyavidyā* (judiciary, business, war ethics, etc.)<sup>33</sup> King should possess four qualities: first, he should have a fresh and pure mind and body; second, he should be the controller of all his sense organs; third, he should be with very honest, intellectual, characterful and virtuous assistants.<sup>34</sup> *Gautama* provided assistants to the king for the well functioning of the state and government. It is an important diversion of the ancient Indian polity where the king had started taking the help of particular assistance, and these were the additional officers after *Brāhmaṇa*.

A king should always analogous and equitable during the judicial process for his people and citizen. He never biased for any party during the case hearing.<sup>35</sup> He should secure the welfare of his citizen, state at any cost, and condition.<sup>36</sup> King has to maintain the social order according to *Varṇa*-system and protect all *Āśrama* (people from all age and stage) righteously.<sup>37</sup> These are some major provision, rules, and virtues for the king, according to

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<sup>31</sup> . *Gautamadharmasūtram*, 2.2.2

<sup>32</sup> . *Sādhukārī śāstrāviruddhācaraṇaśīlaḥ. Sādhukārī vyavahārakāle svapakṣāparapakṣasamavādī.*

–*Dharmasūtrāṇi*, p.108

<sup>33</sup> . *Trayāmānvīkṣikyāṃ vā'bhivinītaḥ.*

–*Gautamadharmasūtram*, 2.2.3

<sup>34</sup> . *Śucirjitendriyo guṇavatsahāyopāyasampannaḥ*

–*Gautamadharmasūtram*, 2.2.4

<sup>35</sup> . *Samah prajāsu syāt*

–*Gautamadharmasūtram*, 2.2.5

<sup>36</sup> . *Hitamāsāṃ kurvīt*

–*Gautamadharmasūtram*, 2.2.6

<sup>37</sup> . *Varṇānāśramāṃsca nyāyato'bhiraḥset*

–*Gautamadharmasūtram*, 2.2.9

*Gautamadharmasūtra*. War ethics, implementation of penal codes, and other political discussions seem in this *Sūtra* as the early stage. This was the stage where the powers had been started dividing between *Brāhmaṇa* and *Kṣatriya*. *Brāhmaṇa* seems able to maintain its supremacy and autonomy. King's responsibility and power had started extending.

Gautama *Dharmasūtra* discussed the political principles and determined the theories as to the supplement of its major discussion, and the major topic of this text is social order, sacrifices, and the superiority of the *Brāhmaṇa*. Protection of the subjects is the main duty, but supreme virtue for the king was to respect the *Brāhmaṇa* because of its higher position in the state. King was the master, manager, feeder, and ruler was the state but not of the *Brāhmaṇa*. These rules were showing the importance of this intellectual community and reflecting the place and role of *Brāhmaṇa*.

### 1.1.5. *Āpastamba Dharmasūtra*

This is the second important *dharmasūtra* after Gautama. Theme, content, and references of this text are also like the previously discussed *Dharmasūtra*, but it is less important before the Gautama *Dharmasūtra*. *Taittirīya* branch of *Kṛṣṇa Yajurveda* is the pet source of this *Dharmasūtra*.<sup>38</sup>

This *Dharmasūtra* is also very important like Gautama's work. While talking about the representative texts of *dharmasūtra*, the name of this sutra text comes just after the *Gautama*. The composer of this text assumed as south Indian.<sup>39</sup> Some Western Scholars are on the view of that *Āpastamba* was older than Gautama.<sup>40</sup> It has been divided on the various level, and these are *Praśna*>*Paṭala*>*Kaṇḍikā*>*Sūtra*.<sup>41</sup>

*Āpastambadharmasūtra* is divided into two *Praśna*, and each is containing with eleven separate *Paṭalas*, and these have divided into 32 and 29 *Kaṇḍikās* respectively. Thus whole *Āpastamba dharmasūtra* is containing with 1364 *Sūtras*.<sup>42</sup>

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<sup>38</sup> . *Āpastambadharmasūtraṃ*, p. 20

<sup>39</sup> . *Āpastambadharmasūtraṃ*, p. 20

<sup>40</sup> . Olivelle, Patrick, *Dharmasūtra the Law Code of Ancient India*, Introduction, p. XXXi

<sup>41</sup> . *Āpastambadharmasūtraṃ*, p.21

<sup>42</sup> . Olivelle, Patrick, *Dharmasūtra the Law Code of Ancient India*, Introduction, p. XXiX

### 1.1.5.1. Political Principles in *Āpastamba Dharmasūtra*

The political discussion starts with the structure of the capital city of the king, and *Āpastamba* suggested the king for making his palace just in the center of the city.<sup>43</sup> *Āpastamba* prohibits the king from relaxation. This act would make him lazy, and he would have avoided governmental responsibilities. That is why; he suggested that a king should not live a luxurious life than ministers and trendsetter.<sup>44</sup>

A king should protect his objects from the starvation, epidemic, cold (and another seasonal disease). The king secures all of his citizens that no one could have died from these conditions. Food security, proper therapeutic care, environmental purity for avoiding the epidemics, arrangements for facing the seasonal malady, etc. are the responsibilities of the ruler.<sup>45</sup>

As far the good state concerned Parameter of a good state was security at that time. Only that kingdom appreciated as the “welfare state” whose villages, towns, cities, and forests were free from theft and fear.<sup>46</sup> It seems from the explanations and provisions of *Āpastamba* that, there was a huge fear of dacoits and thieves at that contemporary time.

King seems very conscious about the security of *Brāhmaṇa* and other citizens from the fear of such unsocial elements. Three officers specially appointed for the prohibition of such acts. Which includes one of the significant provision for instance that if any theft and robbery take place during the duty of security officer and wealth of house-holder have looted by dacoits or thieves, King should collect the same amount of money from the on-duty security officer.<sup>47</sup>

<sup>43</sup> . Antaryām puri veśma.

–*Āpastambadharmasūtra*, 2.10.25.3

<sup>44</sup> . Gurūnamātyāṃśca nātijīvet.

–*Āpastambadharmasūtra*, 2.10.25.10

<sup>45</sup> . Na cāsya viṣaye kṣudhā rogeṇa himātapābhyāṃ vā'vasīdedabhāvādbuddhipūrvaṃ vā kaścit.

–*Āpastambadharmasūtra*, 2.10.25.11

<sup>46</sup> . Kṣemakṛdrājā yasya viṣaye grāme'raṇye vā taskarabhayaṃ na vidyate.

–*Āpastambadharmasūtra*, 2.10.25.15

<sup>47</sup> . Yatra yanmuṣyate taistatpratidāpyam.

–*Āpastambadharmasūtra*, 2.10.26.8



*Āpastamba* made special provisions for the security of women. An ornamental young man should be vocally prohibited from that place where the newly married woman or a marriageable girl presented.<sup>48</sup> “*buddhipūrvam tu duṣṭabhāvo daṇḍyaḥ.*”<sup>49</sup> *Haradatta* explained it in *Ujjvalāvr̥tti* as, if anyone violates this rule and bypasses it by attending such a crime, the person must be punished.<sup>50</sup> If someone conducts illegal intercourse with above mentioned other’s wife, amputation of penis and ovaries of the criminal should be done according to rule.<sup>51</sup> The king should extort all property and banish that man permanently from his state, who illegally destroyed the virginity of an unmarried girl.<sup>52</sup>

“*Atha bhṛtye rājñā*”<sup>53</sup> means, giving a new life, respect and secure the life and livelihood of a rape victim is the responsibility of the king.<sup>54</sup> If the victim follows the process of atonement and gets back her previous status, she once again gets ready for starting the new life. The king should return such women to their guardians or owners.<sup>55</sup>

This discussion on *Āpastambadharmasūtra* indicate the political evolution and its vastness according to time and condition. As far as security of women is a concern it shows the security of women, their protection, duty, and responsibility of the king for the state seems to advance here.

<sup>48</sup> . Abuddhipūrvamalan̄kṛto yuvā paradāramanupraviśan kumārīm vā vācā bādhyah

–*Āpastambadharmasūtra*, 2.10.26.18

<sup>49</sup> . *Āpastambadharmasūtra*, 2.10.26.19

<sup>50</sup> . Yastu jānanneva duṣṭabhāvaḥ pralobhanārthī praviśati sa daṇḍyo dravyānurūpamaparādhānurūpaṃ ca.

Duṣṭabhāvagrahaṇamācāryādipreṣitasya praveśe daṇḍo mā bhūditi.

–*Āpastambadharmasūtra*ṃ, pp. 747-475.

<sup>51</sup> . Sannipāte vṛtte śiśnacchedanaṃ savṛṣaṇasya.

–*Āpastambadharmasūtra*, 2.10.26.20

<sup>52</sup> . Kumāryāṃ tu svānyādāya nāśyaḥ

–*Āpastambadharmasūtra*, 2.10.26.21

<sup>53</sup> . *Āpastambadharmasūtra*, 2.10.26.22

<sup>54</sup> . Atha sannipātātprahṛti te paradārakumāryo rājñā bhṛtye grāsācchādanapradānena bhartavye.

–*Āpastambadharmasūtra*ṃ, p.475

<sup>55</sup> . Nirveṣābhyupāye tu svāmibhyo'vasṛjet.

–*Āpastambadharmasūtra*, 2.10.26.24

### 1.1.6. Political Principles in *Baudhāyana Dharmasūtra*

*Baudhāyana* was a North-Indian Sanskrit scholar, associated with the *Taittirīya* branch of *Kṛṣṇayajurveda*.<sup>56</sup> His time is later than Gautama and *Āpastamba*.<sup>57</sup> It divided into four *Praśna* at first layer. First *Praśna* has 11 chapters, and again it divided into 21 of *Khaṇḍa*. Second *Praśna* has ten chapters, and it divided into 12 *Khaṇḍa*. Third *Praśna* also has ten chapters and chapters are containing with the same amount of *Khaṇḍa*. Fourth *Praśna* implied as scholars assume by its content and structure<sup>58</sup>, and it has eight chapters. These eight chapters have once again divided into the same amount of *Khaṇḍa*. There are four *Praśna*, 39 chapters, and 51 *Khaṇḍa* is its actual size.<sup>59</sup> Total 1236 *Sūtras* had counted by western scholars.<sup>60</sup>

*Baudhāyana* had followed the tradition of his just earlier scholars, and he described the social orders, customs, penances, domestic life, and social orders. Political discussions had added in his *Sūtra* for the fulfillment of the social requirement. The 10<sup>th</sup> chapter of first *Praśna* is dedicated to the rules and regulations for the king. King presented as the servant of the state who was dependent on the 1/6<sup>th</sup> part of the money of citizens. The king has to protect the subjects and take the 1/6<sup>th</sup> part of earning from the households.<sup>61</sup> It was the supreme duty of the king.

Duty of all varṇa has described just after the duty of King. According to *Baudhāyana*, *Brāhmaṇa* should study the Veda, teach to all the eligible students, organize and conduct the sacrifices, take the donation, contribute for needy and noble (person are the), duties of a *Brāhmaṇa*.<sup>62</sup> Duty of second community (*varṇa*) was to organize the sacrificial occasions,

<sup>56</sup> . Encyclopedia of Hinduism, Vol. II, p. 143.

<sup>57</sup> . Saṃskṛt Sāhitya kā Bṛhad Itihāsa, Vol. II, pp. 188-189

<sup>58</sup> . Ibid, p. 188

<sup>59</sup> . Saṃskṛt Sāhitya kā Bṛhad Itihāsa, Vol. II, p. 189

<sup>60</sup> . Olivelle, Patrick, *Dharmasūtra the Law Code of Ancient India*, Introduction, p. XXiX

<sup>61</sup> . Ṣaḍbhāgāsrato rājā rakṣetprajāṃ.

–Baudhāyana dharmasūtra, 1.10.1

<sup>62</sup> . Brahma vai svaṃ mahimānaṃ

give the donation, and protect the weapons, treasure, and objects of the state.<sup>63</sup> *Vaiśya*, as the third community, advised to deal with study, donation, agriculture, commercial affairs, moreover, cattle breeding.<sup>64</sup> Fourth and last *varṇa* was for the nursing and service of all *varṇa*.<sup>65</sup>

After the establishment of social order, *Baudhāyana* provided the rules and regulations for the king. Kingship was not the supreme but straightforward responsibility; it was not only the responsibility but also was the virtue. All kinds of moralities, ethics, and other values demonstrated before the subjects and system by the king. That is why; *Baudhāyana* says that King is the pivot of all people and he is also the path forwarder for all even the *Brāhmaṇa*<sup>66</sup> because all social behaviors, commercial activities, sacrifices, donation for good people and nursing of scholars, protection of the state, subjugation of criminals, etc. all these are under the king.<sup>67</sup> He should face the battle bravely and never retreat from the enemies.<sup>68</sup> With the battle bravery, he should mind the war-ethics also. King should not attack the enemy, who has lost his weapon or thrashed with a poisonous weapon.<sup>69</sup> An on-battle king should not apply the weapon on the scared, frenetic, maniac, and poison affected the enemy. Women, children, older people, and *Brāhmaṇa* should be venial during the battle.<sup>70</sup> Even the *Brāhmaṇa* cannot be able to kill at any cost and condition.<sup>71</sup>

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brāhmaṇeṣvadhādadhyanādhyāpanayajanayājanadānapratigrahasamyuktaṃ  
vedānām guptyai. –Baudhāyana dharmasūtra, 1.10.2

<sup>63</sup> . Kṣattre balamadhyayanam yajanam dānam śastrakośabhūtarakṣaṇasamyuktaṃ kṣattrasya vṛddhye.  
–Baudhāyana dharmasūtra, 1.10.3

<sup>64</sup> . Viṣvadhyanayajanadānakṛṣivāṇijyapaśupālanasamyuktaṃ karmaṇām vṛddhyai.  
–Baudhāyana dharmasūtra, 1.10.4

<sup>65</sup> . Śūdreṣu pūrveṣāṃ paricaryā –Baudhāyana dharmasūtra, 1.10.5

<sup>66</sup> . Sarvatodhuram purohitam vṛṇuyāt –Baudhāyana dharmasūtra, 1.10.7

<sup>67</sup> . tasya śāsane varteta –Baudhāyana dharmasūtra, 1.10.8

<sup>68</sup> . Saṅgrāme na nivarttet –Baudhāyana dharmasūtra, 1.10.9

<sup>69</sup> . Na karṇibhirna digdhaiḥ praharet –Baudhāyana dharmasūtra, 1.10.10

<sup>70</sup> . bhītamatonmattapramattavisannāstrībālavṛddhabrāhmaṇairna yudhyetānyatrātātāyinaḥ  
–Baudhāyana dharmasūtra, 1.10.11

<sup>71</sup> . Avadhyau vai brāhmaṇassarvāparādheṣu. –Baudhāyana dharmasūtra, 1.10.17

### 1.1.7. Political Principles of *Vasiṣṭha Dharmasūtra*

It is the youngest *dharmasūtra* of this tradition.<sup>72</sup> Its time also gets located at very later. Many verses have taken from the *Manusmṛti* as their actual form.<sup>73</sup> Not only verses but also many theories and regulations have taken in this *Dharmasūtra* from tradition. There are thirty chapters in this text. It has both styles; the verses and the prose form. The 18<sup>th</sup> chapter is dedicated to the *Rājadharmā* (duties of the king). Social provisions have taken from previous three *Dharmasūtras*, and nothing seems unique in this text. However, some discussions and verses are very relevant and quotable. The discussion about women and their respect is highly appreciable.

Though we found not very revolutionary provisions, the respect of women seems in this *Dharmasūtra* rather than other texts. The composer praises the birth-giver mother and says that a teacher (*Ācārya*) is ten times greater than *Upādhyāya*. Father is greater than *Ācārya* at hundreds of times and mother.<sup>74</sup> At another place, it said that all creatures are dependent on their mother, as same as, all *Bhikṣuka* are dependent on the householders.<sup>75</sup> But this *dharmasūtra* have demoralized sinful women also. By making such conception, the composer said that there are three kinds of felony women; first, who has killed her husband; second, who conduct feticide (of other's) and third is that woman, who conduct an abortion of her own.<sup>76</sup>

Study of selected and representative *Dharmasūtras* discloses some facts. Interestingly, all *dharmasūtras* have few discussions on the polity. Almost all *dharmasūtras* have described the same and general rules for the king or kingship. The supreme duty of the king was to

<sup>72</sup> . Olivelle, Patrick, *Dharmasūtra the Law Code of Ancient India*, Introduction, p. XXX

<sup>73</sup> . Pitā rakṣati kaumāre bhartā rakṣati yauvane,

Putraśca sthavire bhāve na strī svātamtryamarhatīti

–Vasiṣṭha dharmasūtra, 5.3

<sup>74</sup> . Upādhyāyādaśācāryaḥ ācāryānām śataṃ pitā,

Putirdadaśāśataṃ mātā gauraveṇātiricyate.

–Vasiṣṭha dharmasūtra, 13.48

<sup>75</sup> . Yathā mātaramāśritya sarve jīvanti jantavaḥ,

Evam grhasthamāśritya sarve jīvanti bhikṣukāḥ

–Vasiṣṭha dharmasūtra, 8.16

<sup>76</sup> . Trīṇi striyaḥ pātakāni loke dharmavido viduḥ,

Bhartṛvadhō bhrūṇahatyā svasya garbhasya pātanam.

–Vasiṣṭha dharmasūtra, 28.7

protect the *Brāhmaṇa* first and after it, the rest of the state and subjects. All *dharmasūtras* determined the payment of the king, and it was 1/6 part of earning of households. Structural similarity is also remarkable here. Three out of four *dharmasūtras* are purely on the *Sūtra* form, but the last one contains in both; the verse and the prose form. It is possible that these were composed at the last stage of the *Vedāṅga* literature, and they had only played the bounding role between Śruti (Vedas) and *Smṛti* (the main *dharmasāstra*). In this point of view, *dharmasūtras* played a significant role in the textual tradition of Sanskrit. *Dharmasūtras* seems as the substructure of *dharmasāstra* here.

## 1.2. Political Principles in *Smṛti* Literature

Next phase of *dharmasāstra* is the *Smṛti* literature. *Śukranīti* included the *Smṛti* under the list of 32 *Vidyās*<sup>77</sup> and defined it as, “Where the *Varṇa* and *Āśrama* system of life get defined and described according to Vedas and *Arthasāstra* (the code of conducts for the state) gets its complete rendition, that particular *Vidyā* is known as *Smṛti*.”<sup>78</sup> It is very vast literature, and there had uncounted numbers of *Smṛti* texts been composed since ancient time. *The name of the famous Sages composed many texts*, but their actual writers are still unknown. *Yājñavalkya* listed the twenty names of Political thinkers, who praised as the trendsetter Sages of this tradition. These twenty *Ācāryas* are *Manu*, *Atri*, *Viṣṇu*, *Hārīta*, *Yājñavalkya*, *Aṅgirā*, *Yama*, *Āpastamba*, *Samvarta*, *Kātyāyana*, *Bṛhaspati*, *Parāśara*, *Vyāsa*, *Likhita*, *Dakṣa*, *Gautama*, *Śtātapa*, and *Vasiṣṭha*.<sup>79</sup> These *ācāryas* are the founders, representatives,

<sup>77</sup> . Mīmāṃsātarkasāṃkhyāni vedānto yoga eva ca,

Itihāsaḥ purāṇāni smṛtayo nāstikaṃ matam.

Arthasāstraṃ kāmāsāstraṃ tathā śilpamalāṅkṛtiḥ,

Kāvyaṇi deśabhāṣāvasaroktiryāvanam matam,

Deśādidharmā dvātrimśadetā vidyābhisamjñitāḥ.

– Śukranīti, 4.3.29-30

<sup>78</sup> . Varṇādidharmmasmaraṇam yatra vedāvirodhakam,

Kīrtanam cārthasāstrāṇām smṛtiḥ sā ca prakīrtitā.

– Śukranīti, 4.3.54

<sup>79</sup> . Manvatrivīṣṇuhārītayājñavalkyośano'ṅgirā;

Yamāpastambasamvartāḥ kātyāyanabṛhaspatī.

Parāśaravyāsasaṅkhalikhitā dakṣagautamau,

Śtātapo vasiṣṭhaśca dharmasāstraprayojakāḥ.

–Yājñavalkyasmṛti, 1.4-5

and trendsetters of this textual tradition. Manu believes that only the *Smṛtis* are the *Dharmaśāstra*. Though *Manusmṛti* clearly says that only the *Smṛti* texts are the *Dharmaśāstra*<sup>80</sup>, but modern scholars include both; *Dharmasūtra* and *Smṛti* under one term called '*Dharmaśāstra*'.<sup>81</sup> The mainstream *Sanātana* sociology seems in *Smṛti* texts not only social but also all discussions related to the Dharma and customs of life. There are some most remarkable *Smṛtis* listed by the scholars on two levels. It has five main *Smṛtis* in the tradition who determined new substantive theories and rules for social, political, economic, religious affairs. These five are *Manu*, *Yājñavalkya*, *Parāśara*, *Nārada*, and *Bṛhaspati*. *Manu* considered as a very first thinker, elaborator, and rule maker.<sup>82</sup> Therefore, this will discuss the political aspect of this text.

### 1.2.1. Introduction to *Manusmṛti*

As *Rāmāyaṇa* is the first Sanskrit epic, *Manusmṛti* is the first text of *Smṛti* literature. Though the social order, political theories, religious rites and rituals, spiritual highness has been discussing since the dawn of civilization, their textual composition taken place very later form their existence. *Manusmṛti* has the same thing. *Dharmadrum* introduced 73 *smṛti* texts<sup>83</sup>, and all these follow the path of *Manusmṛti*.

#### 1.2.1.1. About the Author and Time of *Manusmṛti*

It is quite tough to determine the perfect conception of the author and time of this text. There are many Mantra in *Ṛgveda* where the Manu had quoted. 80<sup>th</sup> *Sūkta* of first *Maṇḍala* of *Ṛgveda* says that Sage *Atharva*, the father (conservator) Manu, and *Rishi Dadhyaṅga* sang the song of praise for God *Indra* and the Indra dawn to upon before the sages by his self-power.<sup>84</sup> *Rāmāyaṇa* also quoted to *Manu* at several times. Even *Mahābhārata* not only

<sup>80</sup> . Śrutistu vedo vijñeyo dharmasāstraṃ tu vai smṛtiḥ,

Te sarvārtheṣvamīmāṃsye tābhyāṃ dharmo hi nirbabhau

–Manusmṛti, 2.10

<sup>81</sup> . Hindū Dharmaśāstra, Vol. I, (Introduction), p. 7.

<sup>82</sup> . Hindū Dharmaśāstra, Vol. I, (introduction) p. 9

<sup>83</sup> . Pandey, Rajendra Prasad, Dharmadruma, Ch. 3, pp. 35-107

<sup>84</sup> . Yāmātharvā manuspitā dadhyaṅga dhiyatnata,

quoted to Manu but also told a saga related to the origin of *Dharmaśāstra* of Manu.<sup>85</sup> *Vasiṣṭha dharmasūtra* quoted the verse of Manu at several places, as seen in the previous section. *Ācārya* Rajendra Prasad referred three Manu: *Svāyambhuvamanu*, *Vaivasvatamanu*, and *Prācetasamanu*.<sup>86</sup> The in-evidences of *Manusmṛti* says that the creator of the universe created the *Śāstra* of the universe and told this knowledge to Manu at the beginning of the whole creation.<sup>87</sup> Another verse says it accepts the appearance of seven Manu at the beginning of nature. All these seven Manu procreated the mortal and immortal world at their given time.<sup>88</sup> All these dimensions are creating the concept that Manu was not a man, but it was a level of intellect, or it can be said say that this term had been used for that sage, who promoted and carried forward the tradition of *Dharmaśāstra*. The definition of *Purāṇa* also indicates towards this point. The term ‘Manu’ had been used for the separate eras also and called it the “*Manvantara*.”<sup>89</sup> However, it is difficult to deny the existence of Manu as a particular rule maker. It is the possibility that the Last Manu had done the final compilation of all knowledge and this work became prevalent as *Manusmṛti*.

Time is another complicated issue, but there are some facts and evidence within the text. There are some terms and usages in *Manusmṛti*. These are remarkable terms used in this text. The first term is ‘*Vedanindaka*’ a man, who denies the supremacy of Vedas and criticize them. This term is significant because it came at two times in *Manusmṛti*. Manu seems very angry about such people, who are following other paths, faiths, and beliefs instead of Vedas. Even so, such people scandalize the holy text Veda. Manu gave the name ‘*Nāstika*’ for the

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Tasminbrahmāṇi pūrvathendra ukthā samagmatārcannanu svarājyam. –Rgveda, 1.80.16

<sup>85</sup> . Pandey, Rajendra Prasad, Dharmadruma, Ch. 3, p.36

<sup>86</sup> . Ibid, p. 36.

<sup>87</sup> . Idam śāstraṃ tu kṛtvāsau māmeva svayamāditaḥ,

Vidhivadgrāhayāmāsa marīcyādīmstvahaṃ munīn. –Manusmṛti, 1.58

<sup>88</sup> . Svāyambhuvādyāḥ saptaite manavo bhūritejaṣaḥ,

Sve sve'ntare sarvamidamutpādyāpuṣcarācaram. –Manusmṛti, 1.63

<sup>89</sup> . Sargaśca pratisargaśca vaṃśo manvantarāṇi ca,

Vaṃśānucaritaṃ yasmin purāṇaṃ tad vikīrtitam. –Śukranīti, 4.3.53

satirical people.<sup>90</sup> A well honored and disciplined *Brāhmaṇa* never stay at that kingdom, who is being ruled by a *Śūdra* king, covered by the *Adhārmika* (satirical of Vedas) and full with *Antyaja* (lowest and untouchable community), thieves and bad mannered people.<sup>91</sup> If any honed *Brahmacārī* (*Brāhmaṇa*) receives the donation, form a king, who is very miser, and denier of *Śāstra* (*Aśāstravartin*), such *Brāhmaṇa* fall in 21 infernos respectively.<sup>92</sup> An honest man should leave the unfaithfulness of God, reprehension of Vedas and Gods, jealous nature, arrogance, ego, anger, and cruelty.<sup>93</sup>

A vital term has used in *Manusmṛti* at two times, and that is '*Caitya*.' *Caitya* is a *Pāli* word, and it used for Buddhist holy place, especially for monasteries. *Vālmīki* used this term in *Rāmāyaṇa* for the same purpose (that already discussed in the section of *Rāmāyaṇa*). *Manu* directed the king to appoint the soldiers and spies near some sensitive and public place. He used the word '*caityavṛkṣāḥ*' for a particular tree.<sup>94</sup> *Manu* ordered some lowest communities for making their residence under the '*Caityadruma*.'<sup>95</sup> These untouchable communities strictly prohibited from the purposeless roaming in the city or any public place. They could walk on the city and paths with solid reason at the day but could not roam freely.<sup>96</sup>

<sup>90</sup> . Yo'vamanyeta te mūle hetuśāstrāśrayāddvijah,

Sa sādhubhirbahiṣkārya nāstiko vedanindakah.

–Manusmṛti, 2.11

<sup>91</sup> . Na sūdrarājye nivasennādhārmikajanāvṛte,

Na pāṣaṇḍigaṇākrānte nopasṛṣṭe'ntyajairnṛbhiḥ.

–Manusmṛti, 4.61

<sup>92</sup> . Yo rājñah pratigrhṇāti lubdhasyocchāstravartinah,

Sa paryāyeṇa yātimānnarakānekaviṣṭatim.

–Manusmṛti, 4.87

<sup>93</sup> . Nāstikyaṃ vedanindāṃ ca devatānāṃ ca kutsanam,

Dveṣaṃ dambhaṃ ca mānaṃ ca krodhaṃ taikṣṇyaṃ ca varjayet.

–Manusmṛti, 4.163

<sup>94</sup> . Sabhāprapāpūpaśālāveśamadyānnavikrayāḥ,

Catuṣpathāścaityavṛkṣāḥ samājāḥ prekṣaṇāni ca.

–Manusmṛti, 9.264

<sup>95</sup> . Caityadrumaśmaśāneṣu śaileṣūpavaneṣu ca,

Vaseyurete vijñānā vartayantaḥ svakarmabhiḥ.

–Manusmṛti, 10.50

<sup>96</sup> . Annameṣāṃ parādhīnaṃ deyaṃ syādbhinnabhājane,

Rātrau na vicareyuste grāmeṣu nagareṣu ca.

–Manusmṛti, 10.53



Clear and offensive approach against the *Nāstika*, their total dismemberment from the society and even the name of other stuff are indicating that *Manusmṛti* got its available shape after the Buddhist revolution. *These expressions mark a protest against the aggression of Buddhism.*<sup>97</sup> The rules, regulations, strictness against lower communities, punishment, and penance described in this first *Smṛti* demonstrate its essence. Those essences determine the time of *Manusmṛti* after the manifestation of Buddhism and *Cārvāka*.

### 1.2.2. Social Behaviour in *Manusmṛti*

*Manusmṛti* seems the first complete rule book for the state and *Manu* is the first legislator in Indian *Sanātana* tradition.<sup>98</sup> This text provided all fundamental theories and rules for the well-functioning of a family, community, society, and state. This text became the most important and historical creation for Post-Vedic Indian society and polity. In this *Dharmaśāstra*, shows the clear formation of society, polity, and administration. Most theories are based on divine concepts.

*Manusmṛti* described social order firstly, and after the division of society, the establishment of political concepts became easy and clear. Now, the intellectual, political and administrative, trade, and agricultural and labor responsibilities divided to separate communities. *Manu* took the ‘*Varṇa* system’ for the implementation of political theories. *Manu* took the concept of the origin of ‘*Varṇa*’ from *Ṛgveda* where four ‘*Varṇa*’ originated from the various parts of ‘*Virāṭ Puruṣa*’.<sup>99</sup> *Manu* described that the whole universe is the creation of *Brahmā*. He did not separately explain ‘*Varṇa*’ like ‘*Puruṣa Sūkta*’ of *Ṛgveda* but justified it. *Manusmṛti* says, (supreme creator) originated *Brāhmaṇa*, *Kṣatriya*, *Vaiśya*, and *Śūdra* from the mouth, arms, thigh, and feet respectively for the welfare of the folk.<sup>100</sup> *Manu* prescribed the duties of all four *varṇa* as per Vedic concept. Study and teaching of

<sup>97</sup> . Agrawala, V.S., *India as Described by Manu*, p. 5.

<sup>98</sup> . Ibid, p. 1.

<sup>99</sup> . *Ṛgveda*, 10.90.12 (Discussed in First chapter)

<sup>100</sup> . Lokānāṃ tu vivṛddhyartham mukhabāhūrūpādātāḥ,

Brāhmaṇam kṣatriyaṃ vaiśyaṃ śūdraṃ ca niravartayat.

–*Manusmṛti*, 1.31

Vedas, self-proceeding of 'Yajña' and proceed it for others, taking and providing 'Dāna' (alms), these were the six duties determined for the first 'Varṇa' called *Brāhmaṇa*.<sup>101</sup>

The Second *varṇa* was very important from a political point of view. This was 'Kṣatriya,' who got the responsibility of administration, kingship, warfare, security, and other physical force based issues. Protection of people (objects/citizens), charity, doing the 'Yajña,' reading the Vedas, disenchantment from the objects was the major duties described for the second *varṇa*, 'Kṣatriya.'<sup>102</sup>

Third *Varṇa* was 'Vaiśya' for doing agriculture, trade, and commerce. This was strong by wealth and property. It also has a very important role because this *varṇa* was the primary source of income. Manu determined its duties and responsibilities as, "Livestock breeding, charity (*dāna*), and proceeding of 'Yajña, reading in Vedas, trade, and commerce, business, and agriculture are the work for Vaisya'".<sup>103</sup>

Service of above mention three *varṇas* (without personal desire, expectation, and greed) was the only one and supreme duty described for *Śūdra*.<sup>104</sup>

This is structure and work-distribution described in *Manusmṛti*. It was the base of social, political, religious, cultural, intellectual, and all other responsibilities. Inspired by *Rgveda*, *Manusmṛti* gave the administrative, governing, protection, and other physical power to the second *varṇa*. These were supreme responsibilities because these directly connected with the existence of a state, government, and social order.

<sup>101</sup> . Adhyāpanamadyayanam yajanam yājanam tathā,

Dānam pratigrahaṃ caiva brāhmaṇānāmakalpayat –Manusmṛti, 1.88

<sup>102</sup> . Prajānām rakṣaṇam dānamijyādhyayanameva ca,

Viṣayeṣvaprasaktiśca kṣatriyasya samāsataḥ –Manusmṛti, 1.89

<sup>103</sup> . Paśūnām rakṣaṇam dānamijyādhyayanameva ca,

Vaṇikpatham kusīdam ca vaiśyasya kṛṣimevaca –Manusmṛti, 1.90

<sup>104</sup> . Ekameva tu prabhuḥ karma samādiśat,

Eteṣāmeva varṇānām śusrūṣāmanasūyayā –Manusmṛti, 1.91

It is remarkable that *Manusmṛti* widely described the hybrid generation in chapter ten. It was the large community and Manu created the community and sub-communities for those people, who were born by inverse marriages. The *varṇa* started taking the shape of caste in *Manusmṛt*. The society of Manu-period was transforming very fast. Inverse marriages were generating cross bred communities like *Ambaṣṭha*, *Niṣāda*,<sup>105</sup> *Ugra*,<sup>106</sup> *Apasada*<sup>107</sup> *Sūta*, *Māgadha*, *Vaideha*,<sup>108</sup> *Āyogava*, *Kṣattā*, *Cāṇḍāla*,<sup>109</sup> etc. and these hybrid communities were also generating another group of hybrid people like *Pukkasa*, *Kukkuṭaka*,<sup>110</sup> *Śvapāka*, *Veṇa*<sup>111</sup>, etc. It was the biggest challenge before *Manu* to absorb them within *Sanātana* society. That is why; strict rules were the compulsion for the sake of *Varṇa* order and for maintaining the highness of *Brāhmaṇa* dominion over the society.

### 1.2.3. Political Principles in *Manusmṛti*

There are twelve chapters, and 2684 *Ślokas* in *Manusmṛti*<sup>112</sup> and seventh chapter describe the complete *Rājadharmā* (Polity).<sup>113</sup>

#### 1.2.3.1. Theory of Kingship

*Manu* gave the divine theory of kingship. His created king is nothing but the direct representative of God. King got the superior place and he never disrespected by the subject, no matter he is adult or kid.<sup>114</sup> Such respect and honor had given by *Manu* to the king due to

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<sup>105</sup> . *Manusmṛti*, 10.8

<sup>106</sup> . *Ibid*, 10.9

<sup>107</sup> . *Ibid*, 10.10

<sup>108</sup> . *Ibid*, 10.11

<sup>109</sup> . *Ibid*, 10.12

<sup>110</sup> . *Ibid*, 10.18

<sup>111</sup> . *Ibid*, 10.19

<sup>112</sup> . Jha, Janardana (Ed.), “*Manusmṛti*”, Siddhartha Books, Delhi, 2011.

<sup>113</sup> . *Strīdharmayogaṃ tāpasyaṃ mokṣaṃ samnyāsameva ca,*

*Rājñaśca dharmamakhilam kāryāṇām ca vinirṇayam.*

–*Manusmṛti*, 1.114

<sup>114</sup> . *Bālo'pi nāvamantavyo manuṣya iti bhūmipaḥ,*

*Mahatī devatā hyeṣā nararūpeṇa tiṣṭhati.*

–*Manusmṛti*, 7.8

his birth position and life-rituals (*Samskāra*). *Manu* accept only that man like a king who has properly attended the *Yajñopavīta* (etc.) *Samskāra* and born in pure *Kṣatriya* race.<sup>115</sup> *Manu* did not accept the existence of Non-*kṣatriya* king, and if a kingdom is ruled by *Śūdra* king, *Brāhmaṇa* should not stay in such a kingdom.<sup>116</sup>

A king is valueless and nothing without the authority and power. So *Manu* gave him the power of authority as “*Daṇḍa*.” For the achieving of the goal determined for a king, God created ‘*Daṇḍa*’ who was for the helping of king and protector of subjects. *Daṇḍa* was born for the protection of all living being. It was full of divinity, duty, and honor.<sup>117</sup> The King enlighten the heart like the sun because he exists with the ultimate powers like the sun. No one can look him by bad sight.<sup>118</sup> The King was very respectable to every citizen on the earth because he was the direct representative of the Gods.

The theory of kingships lays out three basic principles. First, the king will only be a *Kṣatriya*, and second, the king is a representative of God because a king is roaming shelter of eight *Devatā*<sup>119</sup> and third, that divine king bears the diving power of *Daṇḍa*. Bone-structure of the theory of kingship given by *Manu* is divine, and he glorified this position as much as he can. However, what is the purpose of king, and why God has created the king? This aim has also described in *Manusmṛti*. Justifying the propriety of the king, *Manu* says that *Brahmā* created the king for protection of people, who are honestly following their *varṇa* and *āśrama* duties.<sup>120</sup> *Manu* was very strict for the welfare of the object of the state. He warned the king

<sup>115</sup> . Brāhmaṇam prāptena saṃskāraṃ kṣatriyeṇa yathāvidhi,

Sarvasyāsya yathānyāyaṃ kartavyaṃ parirakṣaṇam.

–Manusmṛti, 7.2

<sup>116</sup> . Na śūdrarājye nivasennādhārmikajanāvṛte,

Na pāṣaṇḍigaṇākrānte nopasṛṣṭe'ntyajairṇbhiḥ.

–Manusmṛti, 4.61

<sup>117</sup> . Tasyārthe sarvabhūtānāṃ goptāraṃ dharmamātmajam,

Brahmatejomayaṃ daṇḍamasṛjatkṛtvamīśvaraḥ.

–Manusmṛti, 7.14

<sup>118</sup> . Ibid, 7.6

<sup>119</sup> . Indrānilayamārkāṇāmagneśca varuṇasya ca,

Candravittesāyoścaiva mātṛā nirhṛtya śāśvatīḥ.

–Manusmṛti, 7.4

<sup>120</sup> . Sve sve dharme niviṣṭānāṃ sarveṣāmanupūrvaśaḥ,

regarding the protection of people and said that if a king tortures to his object by avoiding good or bad impressions, that king loses the kingdom and life with all his family members.<sup>121</sup>

### 1.2.3.2. Duties of the King

A king should govern his kingdom by securing the justice (according to *Dharmaśāstra*), punish the enemies by severe punishment, guileless behavior with lovable friends (and family) and always be humbly natured towards *Brāhmaṇas*.<sup>122</sup>

*Daṇḍa* is the divine power of the king. Proper implementation of *daṇḍa* is the sensitive duty of a king. A thoughtful and well-systematic *daṇḍa* moderate the citizen and make the entire state happy but improper and biased *daṇḍa* applied by the careless king can destroy everything of the king and state.<sup>123</sup> Philosophy and procedure of *daṇḍa* seem like the ‘Cr.P.C. of ancient Indian states.’ It used for moderation the society within the state and for the maintenance of social behavior.

Therefore, *Manu* was very conscious about the implementation of *daṇḍa*. He ordered the king to give extra concentration during the implementation of *daṇḍa*. *Daṇḍa* rules on all subjects, *daṇḍa* protects all subjects, and *daṇḍa* keep awake when all world gets to sleep. That is why; *daṇḍa* is (real) *Dharma* according to scholars.<sup>124</sup> The dignity of the post of the king, his power an authority given by *Manu* contained with divine powers. *Manu* was the first rule-maker who gave the king a divine status.

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Varṇānāmāśramāṇām ca rājā sṛṣṭo'bhiraḥṣitā. –Manusmṛti, 7.35

<sup>121</sup> . Mohādrājā svarāṣṭraṃ yaḥ karṣayatyānavekṣayā,  
So'cirādbhraśyate rājyājīvitācca sabāndhavāḥ –Manusmṛti, 7.111

<sup>122</sup> . Svarāṣṭre nyāyavṛttaḥ syādbhṛśadaṇḍāśca śatruṣu,  
Suhṛtsvajihmaḥ snigdheṣu brāhmaṇeṣu kṣamānvitāḥ. –Manusmṛti, 7.32

<sup>123</sup> . Samīkṣya sa dhṛtaḥ samyaksarvā rañjayati prajāḥ,  
Asamīkṣya praṇītastu vināśayati sarvataḥ. –Manusmṛti, 7.19

<sup>124</sup> . Daṇḍaḥ śāsti prajāḥ sarvā daṇḍa evābhiraḥṣati,  
Daṇḍaḥ supteṣu jāgarti daṇḍaṃ dharmam vidurbudhāḥ. –Manusmṛti, 7.18

Battle and duty of a king is a remarkable aspect. A *kṣatriya* king has to be always ready for any war emergency. He should always put his force on active and offensive mode for battle, always demonstrate his power, keep secrecy about his conspiracy, and always try to get the weaker point of enemies.<sup>125</sup> If any other king challenges him for battle, he has to accept the challenge and never retreat from the enemy.<sup>126</sup>

Gallantly fight before the enemy in the battlefield, observance of subjects and worship of *Brāhmaṇa* is the moral duty of a king.<sup>127</sup> A king should concentrate on snatch the enemy's wealth like a heron, demonstrate the bravery like a lion, kill the enemy like a wolf but (if surrounded by the enemy) run away like a cony.<sup>128</sup> *Manu* accepted only *Kṣatriya* as a king and the supreme duty of a *Kṣatriya* king to protect his citizens and all subjects because he bound with this duty. Citizens give him taxes as his payment and king take their wealth as tax for providing them the protection.<sup>129</sup> It is a contract between the citizens and the king. Citizen will give the tax and authority to the king and get the protection and peace instead of tax paying. The king will receive the tax-money, authority, honor, and he will return this as the protection of the citizen, moderation of subjects, and rule the state by all its dignity in lieu of facilities.

### 1.2.3.3. Addictions and King

A king should avoid all kinds of addiction. There are two types of addictions at the first stage: desire originated addictions (*Kāma*) and second is anger (*Krodha*) originated

<sup>125</sup> . Nityamudyatadaṇḍaḥ syānnityaṃ vivṛtapauruṣaḥ,  
Nityaṃ saṃvṛtasaṃvāyo nityaṃ chidrānusāryareḥ. –Manusmṛti, 7.102

<sup>126</sup> . Samottamādhamai rājā tvāhūtaḥ pālayanprajāḥ,  
Na nivarteta saṃgrāmātḥkṣātraṃ dharmamanusmaran. –Manusmṛti, 7.87

<sup>127</sup> . Saṃgrāmeṣvanivartitvaṃ prajānāṃ caiva pālanam,  
Śuśrūṣā brāhmaṇānāṃ ca rājñāṃ śreyaskaram param. –Manusmṛti, 7.88

<sup>128</sup> . Bakavaccintayedarthānsiṃhavacca parākramet,  
Vakravaccāvalumpeta śaśavacca viniṣpatet. –Manusmṛti, 7.106

<sup>129</sup> . Kṣatriyasya paro dharmāḥ prajānāmeva pālanam,  
Nirdiṣṭaphalabhoktā hi rājā dharmeṇa yujyate. –Manusmṛti, 7.144

addiction. Ten addictions arise from desires and eight addictions from anger. A king has to leave all these addictions for the sake of him and his state.<sup>130</sup> Hunting, gambling, sleeping at day, the narration of other's flaws, coitus with women, over-intoxication of alcohol, dancing, singing, playing (instruments) and purposeless roaming are the ten addictions, originated from desire (*Kāma*).<sup>131</sup> Anger originated addictions are; Revealing unknown flaw, courage (in unethical acts), scabbing, jealousy, scoop up flaws (in good character), money defalcation, harsh speech, and cruel torture.<sup>132</sup> A king should avoid and overcome from such bad addictions because they not only harm the king himself but also destroy the entire governing system and discipline of the state. A king should never follow the path of bad manner or behavior.

King and kingship were very important concepts for a state. *Manu* described and explained systematically all duties, works, and responsibilities of the King. These principles became the base of later political theories. Protection of the citizen own child and behave to objects as the father was very effective and great virtue for a king described by *Manusmṛti*. *Manu* left all legislature and procedure on the king. He only described that the king should form a panel of intellectuals called '*Adhyakṣa*' and '*Āmātya*.' Before it, he should build a strong and comfortable fort for him and should plant his capital. Then the king should precede all other administrative responsibilities.

#### 1.2.3.4. Ministers and officials

Kingship and its responsibilities are not quite easy but tough, and it is not affordable by one man. *Manu* made a council of ministers and advisors to help the king. He appoints seven or eight men on the post of ministers. King should appoint those men who have been serving

<sup>130</sup> . Daśa kāmasamutthāni tathāṣṭau krodhajāni ca,

Vyasanāni durantāni prayatnena vivarjayet.

–Manusmṛti, 7.45

<sup>131</sup> . Mṛgayā'kṣo divāsvapnaḥ parivādaḥ striyo madaḥ,

Tauryāntrikaṃ vṛthātyā ca kāmajō daśako gaṇaḥ.

–Manusmṛti, 7.47

<sup>132</sup> . Paiśunyaṃ sāhasaṃ droha īrṣyāsūyārthadūṣaṇam,

Vāgdaṇḍajaṃ ca pāruṣyaṃ krodhajo'pi gaṇo'ṣṭakaḥ.

–Manusmṛti, 7.48

for the dynasty by lineage tradition, knower of all disciplines, warriors, efficient in military tactics and whose blood and the race is pure.<sup>133</sup> Other qualities of the minister were the purity, good character, and the king should examine nature, intelligent, systematic (in life and thinking), earner of justified money (corruption free) and other aspects of their nature and character.<sup>134</sup> The king should consult with these ministers on regulation negotiation and separation policies with neighbor states, *Sthāna* (Law and order, treasure, urban affairs, and states), *Samudaya* (sources of income and resources) security and distribution of wealth among needy people.<sup>135</sup>

King should give priority to the most intelligent and intellectual *Brāhmaṇa* minister by discussing on warfare and foreign policies and depute him credibly.<sup>136</sup> Big responsibilities just after the king were bearing by these ministers. Warrior, courageous, elite and truthful minister appointed as the superintendent of gold and silver mines, but sneaky and innocent ministers appointed in some easy and secretarial responsibilities.<sup>137</sup> Ambassadors also appointed from this ministerial council. Commander in chief was also a member of this council.<sup>138</sup>

<sup>133</sup> . Maulāñchāstravidahśūrāmllabdhakṣāṅkulodbhavān,

Sacivānsapta cāṣṭau vā prakurvīta parīkṣitān.

–Manusmṛti, 7.54

<sup>134</sup> . Anyānapi prakurvīta śucīnprājñānavasthitān,

Samyagarthasamāhartṛnamātyānsuparīkṣitān.

–Manusmṛti, 7.60

<sup>135</sup> . Taiḥ sārđhaṃ cintayennityaṃ sāmānyaṃ saṃdhivigraham,

Sthānaṃ samudayaṃ guptiṃ labdhaprasāmanāni ca.

–Manusmṛti, 7.56

<sup>136</sup> . Sarveṣāṃ tu viśiṣṭena brāhmaṇena vipaścitā,

Mantrayetparaṃ mantraṃ rājā śāṅguṇyasamyutam.

Nityaṃ tasminsamāśvastaḥ sarvakāryāṇi niḥkṣipet,

Tena sārđhaṃ viniścitya tataḥ karma samārabhet

–Manusmṛti, 7.58-59

<sup>137</sup> . Teṣāmarthe niyuñjīta śūrāṅdakṣāṅkulodgatān,

Śucīnākarakarmānte bhīrūnantarniveśane.

–Manusmṛti, 7.62

<sup>138</sup> . Amātye daṇḍāyatto daṇḍe vainayikī kriyā,

Nṛpatau kośarāṣṭre ca dūte sandhiviparyayau.

–Manusmṛti, 7.65



### 1.2.3.5. Theory of *Rāṣṭra*

*Rāṣṭra* has many dimensions in *Manusmṛti*. *Manu* described several kinds of *rāṣṭra*. First was the '*Svarāṣṭra*.'<sup>139</sup> It was the base. According to that particular time and condition, many other states and kingdoms were existing. Every state had its ruling system and government. Many of them were operating by a monarchical system of governance, but there were many republic states also. The second was '*pararāṣṭra*.'<sup>140</sup> It was the enemy-state, and its geographical location and diplomatic affairs had a direct affecting factor for '*svarāṣṭra*.' Third was the friend-state or '*Āśrayarāṣṭra*.' When the victory-desired king starts the war campaign against another kingdom, and disastrously, the enemy seems stronger than the attacker king. In this situation, he should take quick shelter under a kind and strongest king.<sup>141</sup> The shelter provider king becomes a friend, and it is the third type of '*Rāṣṭra*.'

*Svarāṣṭra* was the central point. If the king of state desire to extend his state boundaries and want to become a king of the largest kingdom, he should start the victory-campaign. The first layer of surrounding states become the enemy state (*Arirāṣṭra*), and after these, the second layer of surrounding states becomes the friend states (*Mitrarāṣṭra*) in this situation. These two layers of surrounding states are the *śatru-mitrarāṣṭra* (enemy and friend states), and beyond all these, another third, fourth, etc. layered states were the *Udāsīnarāṣṭra* (neutral states).<sup>142</sup> This theory can understood by the following graph:

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<sup>139</sup> . Manusmṛti, 7.32

<sup>140</sup> . Buddhvā ca sarvaṃ tattvena pararājacikīrṣitam,

Tathā prayatnamātiṣṭhedyathātmānaṃ na pīdayet.

–Manusmṛti, 7.68

<sup>141</sup> . Yadā parabalānāṃ tu gamanīyatamo bhavet,

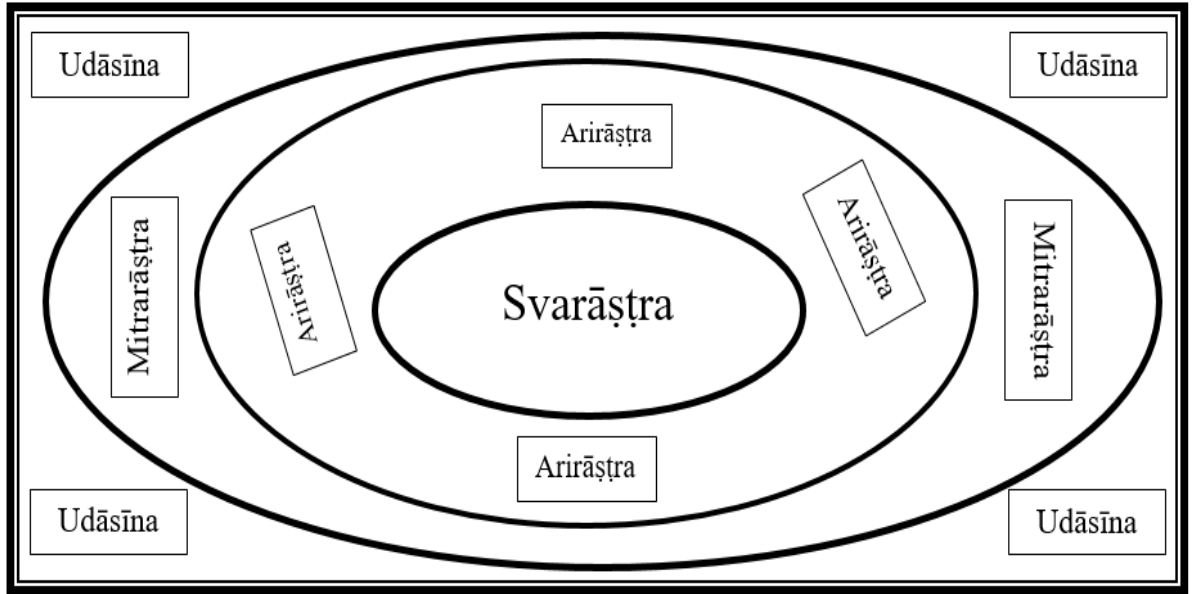
Tadā tu saṃśrayetkṣipraṃ dhārmikāṃ balinaṃ nṛpaṃ.

–Manusmṛti, 7.174

<sup>142</sup> . Anantamarīṃ vidyādarisevinameva ca,

Areranantaraṃ mitramudāsīnaṃ tayoḥ param.

–Manusmṛti, 7.158



Defining the *Rāṣṭra*, *Manusmṛti* says, “Combination of seven *prakṛti* (limbs) called the ‘*saptāṅga rājya*,’ these elements are king, ministers, capital, kingdom, treasure, army, and friend respectively.”<sup>143</sup> *Manu* used the word ‘*pura*’ instead of ‘*durga*’ (fort), but his intention is same like *Mahābhārata* and other theories of seven-limbs of state. *Manu*’s state limbs have the fix sequence as per their importance and role in governance. At any emergency like war; the first limb is most protectable than later, and this sequence goes to the end<sup>144</sup>, but it never meant that any one of them has less importance than next. *Manu* applied the rule only for the protection purpose at emergency, but he clearly said that every limb has equal importance in the state-building process.<sup>145</sup>

<sup>143</sup> . Svāmāyāmātyau puram rāṣṭram kośadaṇḍau suhṛttathā,

Sapta prakṛtayo hyetāḥ saptāṅgam rājamucyate.

–Manusmṛti, 9.294

<sup>144</sup> . Saptānām prakṛtīnām tu rājyasyāsām yathākramam,

Pūrvam pūrvam gurutaram jānīyādvyanam mahat.

–Manusmṛti, 9.295

<sup>145</sup> . Saptāṅgasyecha rājyasya viṣṭabdhasya tridaṇḍavat,

Anyonyaguṇavaiśeṣyāna kiṃcidatiricyate.

–Manusmṛti, 9.296

### 1.2.3.6. Expedient for the protection of the state

*Manu* seems very conscious of the protection of the state. Protection of the state should be the priority of the king with all his government. As (farmer) wipe out the weeds from the field and protect the crops from unnecessary grass, the king should also protect his state (like a farmer) and uproot all bad-elements from the way of the progress of the state.<sup>146</sup>

The first remedy for the protection of the state is the happiness of citizens. A king never makes any torture on his subjects. He should always try to make the entire governing system smooth and corruption free, so that, people can work for a state with all respect and protection. If a king afflicts his citizens by avoiding good and bad results, he loses his life and family with kingship and state expeditiously.<sup>147</sup> However, it was the monarchical system, where the king was a dictator. King was the source of every power, and he was the supreme authority. Nevertheless, he bounded with the contract. Contract of protection of each other between citizen and king was working at that time also.

The subjects were living under the governance of a particular king, but they were not their servants. All were following their duties according to *Dharmaśāstra*. So, nobody was a slave more broadly. It was the core philosophy of this contract. That is why; *Manu* ordered to the king instead of objects. A king should always be active for the protection of subjects, and only such kind of ruler become able to protect the state. These principles and aims make him happy.<sup>148</sup>

King should create a systematic and transparent administration from village to central level. Two types of officers on the local level found out by the scholars. First is the ‘protection

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<sup>146</sup> . Yathoddharati nirdātā kakṣaṃ dhānyam ca rakṣati,

Tathā rakṣennṛpo rāṣṭram hanyācca paripanthinaḥ.

–Manusmṛti, 7.110

<sup>147</sup> . Mohādrājā svarāṣṭram yaḥ karṣayatyanavekṣayā,

So'cirādbhraśyate rājyājjīvitācca sabāndhavaḥ

–Manusmṛti, 7.111

<sup>148</sup> . Rāṣṭrasya saṃgrahe nityam vidhānamidamācaret,

Susaṃgrhītārāṣṭro hi pārthivaḥ sukhamedhate.

–Manusmṛti, 7.113

group.’ It was only for the protection of villagers. This troop established among two and three villages, or five village, or hundreds of villages respectively and separately.<sup>149</sup> Second officials appointed for rectification of daily and social problems of common citizens. It was the village-head. *Manu* suggested appointing the village-head (*Grāmādhipati*) in every village. It was the first layer, the second layer was head of ten villages (*Daśagrāmapatiṃ*), third was head of twenty villages (*Viṃśatīśa*), fourth was the head of hundred villages (*Śateśa*), and the fifth layer of the officer was the head of thousands of villages (*Sahasrapati*).<sup>150</sup> It is the administrative structure for villages. Cities were also protected by a chief of the city, or it could be stated that it the high commissioner of the city. *Manu* emphasized on his finery and royal lifestyle. He was the head of the city, and every city had its high commissioner.<sup>151</sup>

The second remedy for the protection of the state was taxation. Ministers appointed for collecting the taxes from the state. This law had been working since the Vedic civilization. When the councils first time chose their clan leader, and he became the king in the later period, he appointed for the protection of cow-wealth and other properties, and his payment for this job was the one-sixth part of money or production of all clan members. It could be seen this system in the *Sūtra* period also where the king was ordered to take the one-sixth share of money or other productions as tax. *Manu* continued this system. The kingship became more powerful and authoritarian in the later Vedic period. It has been often seen in history that some emperors implied heavy taxes on their citizens. Objects did huge insurrection against such kings and dynasties. Therefore, *Manu* and other political thinkers always moderated the king for proper, light, and smooth taxation-system. The king should

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<sup>149</sup> . Dvayostrayāṇāṃ pañcānāṃ madhye gulmamadhiṣṭhitam,

Tathā grāmaśatānāṃ ca kuryādrāṣṭrasya saṃgraham.

–Manusmṛti, 7.114

<sup>150</sup> . Grāmasyādhipatiṃ kuryāddaśagrāmapatiṃ tathā,

Viṃśatīśaṃ śateśaṃ ca sahasrapatimeva ca.

–Manusmṛti, 7.115

<sup>151</sup> . Nagare nagre caikaṃ kuryātsarvārthanintakam,

Uccaiḥ sthānaṃ ghorarūpaṃ nakṣatrāṇāmiva graham.

–Manusmṛti, 7.121

collect the annual tax from the citizens by the minister as per the direction of *Śāstra-vākya* (*Manusmṛti*, etc.). He should never apply the heavy tax on the subject and protect them like a guardian.<sup>152</sup> *Manu* gave an interesting example regarding taxation. He gave the parable of bloodsucker (*leech*), calf, and the large black bee (*Bhramara*). As these creatures suck the blood, milk, and flora-estrus respectively with softly and smoothly, and they never hurt directly to their sources. Similarly, the king should collect the taxes from his subjects without much hurting them.<sup>153</sup> Taxation rules and the taxable goods are widely described in *Manusmṛti*. The *Śrotriya* (Expert of Vedas) *Brāhmaṇa* was free from all types of taxes. King has never asked him for direct or indirect tax because he prays for the king and state in his Vedic preaching and chanting. His religious practice and sacrifices go to the king. So the king should not collect the tax from such a person.<sup>154</sup> Blind, deaf, lame, seventy years old citizens (anchorite, saints, etc.) and Vedic expert *Brāhmaṇa* were free from taxation.<sup>155</sup> Apart from this community, all citizens like businesspeople, goods commercials, salesmen, small and large industrial communities, farmers, artists, constructors, were the taxpayers.<sup>156</sup>

All these remedies were created for the citizens of the state. Protection from unsocial elements like thieves, robbers, killers were also a prime duty of the king and his administration. If the common people scream before the king and ministers for protection and robbers depredate them, it is just like the deathful shame on the king and his system.<sup>157</sup>

<sup>152</sup> . Sāṃvatsarikamāptaiśca rāṣṭrādāhārayedbalim,

Syāccāmnāyaparo loke varteta pitṛvannṛṣu.

–Manusmṛti, 7.80

<sup>153</sup> . Yathālpālpamadantyādyam vāryokovatsaṣatpadāḥ,

Tathālpālpō grahītavyo rāṣṭrādrājñābdikaḥ karaḥ.

–Manusmṛti, 7.129

<sup>154</sup> . Mriyamāṇo'pyādādīta na rājā śrotriyātkaram,

Na ca kṣudhāsya saṃsīdecchrotriyo viṣaye vasan.

–Manusmṛti, 7.133

<sup>155</sup> . Andho jaḍaḥ pīṭhasarpī, saptatyā sthaviraśca yaḥ,

Śrotriyeṣūpakurvaṃśca na dāśyāḥ kenacitkaram.

–Manusmṛti, 8.394

<sup>156</sup> . Manusmṛti, 7.130,131,132,137,138.

<sup>157</sup> . Vikrośantyo yasya raṣṭrāddhriyante dasyubhiḥ prajāḥ,

Saṃpaśyataḥ sabhṛtyasya mṛtaḥ sa natu jīvati.

–Manusmṛti, 7.143

### 1.2.3.7. Execution of Law and Philosophy of Justice in *Manusmṛti*

Judicial process and all its aspects have one terminology, and that is the ‘*Vyavahāra*’ in Sanskrit. The *Śukranīti* defined this term and said, “*Vyavahāra* is a medium, by which the king or judge make a distinction between truth and false, by which a king maintains the social order among his subjects, and by which he establishes the justice and *Dharma*.”<sup>158</sup> Prof. Sarkar translated the term *Vyavahāra* as ‘judicial proceeding.’<sup>159</sup>

*Manusmṛti* not only described the procedure of justice and execution of *Daṇḍa* but also gave many theories about justice. As per the requirement of this discussion, some important and interesting principles of law and justice are given by *Manusmṛti* are ponderable.

#### 1.2.3.7.1. Court of the king: the supreme authority of justice

King advised that he should regularly attend his court and listen to the cases with *Brāhmaṇas* and expert ministers.<sup>160</sup> If the king is unable to listen the cases due to some other necessary work, he should appoint an expert and intellectual *Brāhmaṇa* for the hearing of cases.<sup>161</sup> That *Brāhmaṇa* should bear the responsibility on behalf of the king with three other amphictyons. *Manu* called that court the *Brahmasabhā* which have observed by three intellectual *Brāhmaṇa* amphictyons and one representative *Brāhmaṇa* of the king (four *Brāhmaṇa*).<sup>162</sup> *Manu* strictly prohibited the *Śūdra* from the council of justice. He says that if an intellectual *Brāhmaṇa* is also not available to observe the case, a *brāhmaṇa* can proceed who is *brāhmaṇa* only by birth and has no any quality of *Brāhmaṇa*, but *Śūdra* can never be

<sup>158</sup> . Svaprajādharmmasaṁsthānaṁ sadasatpravicārataḥ,

Jāyate cārthasaṁsiddhirvyavahārastu yena saḥ,

–Śukranīti, 4.5.4

<sup>159</sup> . Sarkar, B.K., The Śukranīti, p. 183

<sup>160</sup> . Vyavahārāndidṛkṣustu brāhmaṇaiḥ saha pārthivaḥ,

Mantrañjānmantribhiḥcaiva vinītaḥ pravīsetsabhām.

–Manusmṛti, 8.1

<sup>161</sup> . Yadā svayaṁ na kuryāttu nrpatiḥ kāryadarśanam,

Tadā niyujyādvīdvāṁsaṁ brāhmaṇaṁ kāryadarśane.

–Manusmṛti, 8.9

<sup>162</sup> . Yasmindeśo niṣīdanti viprā vedavidastrayaḥ,

Rājñāścādhikṛto vidvānbrāhmaṇastāṁ sabhāṁ viduḥ.

–Manusmṛti, 8.11

the representative of the king in the court of justice.<sup>163</sup> *Manu* said, “The state where a *Śūdra* observes court proceeding as the representative of the king, that state decadence quickly as same as a cow trapped in sludge.”<sup>164</sup>

There were four boundaries of the law. All cases (*vyavahāra*) had been examined on these four scales: first was the ‘*Jātidharma*,’ the second was ‘*Deśadharmā*, third ‘*Śreṇīdharmā* and last was ‘*Kuladharmā*.’ A king should bear his *dharma* (duty of securing justice) within these four boundaries.<sup>165</sup> It means when a case appears in the court, firstly the caste of the victim and accused observed. *Jātidharma* was the first boundary. *Brāhmaṇa* etc. castes was first information about the victim and accused.<sup>166</sup> ‘*Deśa*’ means the various regions like *Kuru*, *Kāpiśa*, *Kāśmīra*, etc. according to *Medhātithi*.<sup>167</sup> This interpretation indicates that institutions of *Manu* had not applied to every state. The judicial process against migrants was not the same as the local civilians. After determination of region and caste, the *Śreṇī* or community was the third observable parameter. It was especially for commercial and trade communities. Last was family law. It was the glory of ancient India’s judicial system. The law was covering all spheres of the society and nation. A particular rule, which applied in a particular region that may be irrelevant to another region. This conception also applied on the ground of social phenomenon. A rule made for a particular community was not applicable in the actual form in another community. It has been seen the good and bad results of this situation. This spirit was making the law more responsible and comprehensive, and various communities were under the shelter of law. But many distinctions were creating problems also according to the modern point of view and nature of justice. This fact will be

<sup>163</sup> . Jātimātropajīvī vā kāmaṃ syādbrahmaṇabruvaḥ,

Dharma pravaktā nṛpaterna tu śūdraḥ kathamcana.

–Manusmṛti, 8.20

<sup>164</sup> . Yasya śūdrastu kurute rājño dharmavivecanam,

Tasya sīdati tadrāṣṭraṃ pañke gauriva paśyataḥ.

–Manusmṛti, 8.21

<sup>165</sup> . Jātijānapadāndharmāṅśreṇīdharmāṃśca dharmavit,

Samīkṣya kuladharmāṃśca svadharmāṃ pratipādayet.

–Manusmṛti, 8.41

<sup>166</sup> . Mānava-Dharma Śāstra, G.K. Press, Bombay (1886), pp. 896-987

<sup>167</sup> . Ibid p. 896.

analyzed in the next sections. Remarkably, these principles still being follow by this principle. India has Hindu-law, Muslim-law, contract law, etc. which has separate importance. Region-based legal diversity also can be seen in modern law where some rules applied on the north Indian Hindus are just irrelevant for South Indian Hindus. It was the diverse beauty of law, which made it pervasive.

The court had the right to declare the accused party inculpable if the petitioner seems continuous absent from court proceeding after filing the case. The silence of the petitioner after the proper case filing can make him punishable. The continuous disappearance of petitioner until three fortnights can make the case one-sided, and it makes the accused free from charges.<sup>168</sup> This is the rule given by Manu, and it's still following in the judicial principle.

#### 1.2.3.7.2. Eligibility for being a witness

It is an interesting but very important aspect of the judicial process. Suspenseful cases were tried to solve by the witnesses, but it was quite tough to find absolute truth through this way. Therefore, Manu created rules for appointing an eyewitness. There were some serious crimes where the witness was not mandatory for case proceeding, and the king had the right to take direct action against the accused. All crimes related to *Sāhasa* (serious physical violence), theft, adultery, harsh speech, and severe punishments; did not need witness and king or judicial bench can directly make judgement and punishment based on the victim.<sup>169</sup> However, there were a lot of crimes and cases where the eyewitness and their statements were useful for finding the truth. *Manu* was aware of the adroitness of the petitioner. He or she could have been present the prepared eyewitness before the court. Therefore, *Manu* made a parameter for witnesses. He said that the fellow householders, son or father, neighbor *Kṣatriya*, *Vaiśya*, or *Śūdra* would give the prejudice testimony in favour of the petitioner or

<sup>168</sup> . Abhiyoktā na cedbrūyādbadhyo daṇḍyaśca dharmataḥ,

Na cetripakṣātpabrūyāddharmaṃ prati parājitaḥ.

–Manusmṛti, 8.58

<sup>169</sup> . Sāhaseṣu ca sarveṣu steyasaṃgrahaṇeṣu ca,

Vāgdaṇḍayośca pārūṣye na parīkṣet sāksinaḥ.

–Manusmṛti, 8.72



accused by biased mentality. Therefore, not all these people can be a witness.<sup>170</sup> It may be the cause of injustice because some conditions are very crucial, and those incidents or crimes take place without external evidence. Only family member sees the incident, but Manu did not agree to make them eyewitness, but he made separate parameters for such cases, which have already discussed. Mostly the role of the eyewitness was in transactions and goods exchanges where the dispute originated between salespersons or traders and the buyers. In such a case, Manu seems strict because of the flirty nature of shopkeepers, traders, and moneylenders. King or judge should not accept the testimony of debtors of the moneylender, close friends, assistants, enemies, the people whose lie had been caught before, sufferers of diseases, and sinner.<sup>171</sup>

King, artisans, actors, Vedic scholars (*Śrotriya*), bachelor, and hermit persons are unauthorized for being a witness.<sup>172</sup> Slave, socially boycotted, cruel, forbidden worker, old man, adolescent, *Antyaja* (lowest and untouchable castes), a man with a disability of sense organs and only a man cannot be the witness.<sup>173</sup> Lugubrious, soused, mad, hungry and thirsty, tired of hard work, salacious, angry, and smuggler; these people cannot be the witness at any case.<sup>174</sup> Apart from these people, everyman can be the witness. Some emergencies allow those people also who usually are not acceptable. These two angles are also remarkable from *Manusmṛti*. Very loyal personalities and truthful people, knower of all dharma (duty and morality, etc.), free from greedy nature can be the witness in transactional

<sup>170</sup> . Gṛhiṇaḥ putriṇo maulāḥ kṣatraviṣṭūdrayonayaḥ,

Arthyuktāḥ sākṣyamarhanti na ye kecidanāpadi.

–Manusmṛti, 8.62

<sup>171</sup> . Nārthasambandhino nāptā na sahāyā na vairiṇaḥ,

Na dṛṣṭadoṣāḥ kartavyā na vyādhyārtā na dūṣitāḥ.

–Manusmṛti, 8.64

<sup>172</sup> . Na sākṣī nṛpatiḥ kāryo na kārukakuśīlavau,

Na śrotriyo na liṅgastho na saṅgebhyo vinirgataḥ.

–Manusmṛti, 8.65

<sup>173</sup> . Nādhyadhīno na vaktavyo na dasyurna vikarmakṛt,

Na vṛddho na śísurnaiko nāntyo na vikalendriyaḥ.

–Manusmṛti, 8.66

<sup>174</sup> . Nārto na matto nonmatto na kṣuttrṣopapīḍitaḥ,

Na śramārto na kāmārto na kruddho nāpi taskaraḥ.

–Manusmṛti, 8.67

cases but those who had just opposite nature from these people, that man can never be the same.<sup>175</sup>

### 1.2.3.7.3. Role of social status in the execution of law

The study observes that there was a major role of social status in ancient Indian polity and other spheres of life. Ancient law and its execution had based on social status. The petition, case-proceeding, witnesses, style of the oath, and parameters of justice were decided on the ground of social status. How much *manusmṛti* gave the priority of *varṇa* in its judicial process, it is an important and remarkable aspect of justice.

The first *varṇa Brāhmaṇa* had very relaxations due to his social responsibilities and status equal to God. A guilty *Brāhmaṇa* was eligible for penances, financial penalties, and the permanent deportation from the state, but any Law and king cannot give the death penalty to *brāhmaṇa*. A *brāhmaṇa* was free from the death penalty even though he made the heinous crime.<sup>176</sup> Here, *Manu* said that if *Brāhmaṇa* made a heinous crime like murder or rape or any other rare type of crime, King should not snatch his wealth, but he gave him all his wealth. Physical punishment prohibited for *Brāhmaṇa*, and that is why; the king was directed by law not to harm his body.

Physical punishment had the majority in types of punishments. Ten body parts identified for the execution of punishment, but all physical punishments were for three *varṇa* except the *Brāhmaṇa*. Deportation from the state was the severe punishment for *Brāhmaṇa*.<sup>177</sup> After *Brāhmaṇa*, remaining three *varṇa* were eligible for physical punishment and even for death-sentence in serious crimes. So, the social status of a criminal was also considerable in ancient

<sup>175</sup> . Āptāḥ sarveṣu varṇeṣu kāryāḥ kāryeṣu sāksīṇaḥ,

Sarvadharmavido'lubdhā viparītāmstu varjayet.

–Manusmṛti, 8.63

<sup>176</sup> . Na jātu brāhmaṇaṃ hanyātsarvapāpeṣvapi sthitam,

Rāṣṭrādenaṃ bahiḥ kuryātsamagradhanamakṣatam.

–Manusmṛti, 8.380

<sup>177</sup> . Daśa sthānāni daṇḍasya manuḥ svāyaṃbhuvō'bravīt,

Triṣu varṇeṣu yāni syurakṣato brāhmaṇo vrajet.

–Manusmṛti, 8.124

India's penal code. When Manu directed the king to see the four variations of dharma like *Jāti*, *Kula*, etc. it was for this purpose because the execution of punishments and penalties were not equal for all people, but it was decided by his/her *varṇa* position.

'*Ṛṇādāna*' is remarkable here. Borrow the money on interest is not the modern concept, but it has continuously been following by society since the human started transactions, exchanges, trade, and other commercial activities. Moneylenders were providing the loans on the interest rate. Determination of interest value was according to the *varṇa* position of the borrower. Monthly interest rates applied to stock money. Basic stock money was hundreds of *Paṇa*. The moneylenders advised to take the interest from their renters as per their social position. He should accumulate two *Paṇa* per month from *Brāhmaṇa*, three *paṇa* from *kṣatriya*, four *paṇa* from *vaiśya* and five *paṇa* from *śūdra*.<sup>178</sup> The interest rate decided by the caste position of the borrower, but it is also remarkable that Manu only allowed the moneylender to take one interest. Manu prohibited him from taking the compound interest, time increment interest, interest as physical labor, and increasing the rate of interest by physical torture. All these are against the law, according to *Manu*.<sup>179</sup>

#### 1.2.3.7.4. Different infliction for the same crime

Social status was playing major role in the enforcement of Laws. Law applied after the caste determination of both parties. Same crime had different punishments. For example, if a *Śūdra* rape an unprotected *dvija* (*brāhmaṇa*, *kṣatriya* or *vaiśya*) woman, the king should dispossess all his property and cut his penis but if the *dvija* women are protected by her family and a *Śūdra* rape her, the king takes all his property forcefully and kill him.<sup>180</sup> If the same crime has done by a *Vaiśya* man on a protected *brāhmaṇa* woman, king forcefully

<sup>178</sup> . Dvikam trikam catuṣkam ca pañcakam ca śataṃ samam,

Māsasya vṛddhiṃ gṛhṇīyādvārṇānāmanupūrvaśaḥ.

–Manusmṛti, 8.142

<sup>179</sup> . Nātisāṃvatsarīm vṛddhiṃ na cādṛṣṭām punarharet,

Cakravṛddhiḥ kālavṛddhiḥ kāritā kāyikā ca yā.

–Manusmṛti, 8.153

<sup>180</sup> . Śūdro guptamaguptam vā dvaijātam varṇamāvasan,

Aguptamaṅgasarvasvaiguptam sarveṇa hīyate.

–Manusmṛti, 8.374

snatches all his property and give him the imprisonment for one year. If the same crime has done by a *kṣatriya* on protected *brāhmaṇa* woman, the king takes the sum of thousand *paṇa* as a penalty and tonsure his head by donkey-urine.<sup>181</sup> If *brāhmaṇa* man rapes a protected *brāhmaṇa* woman by force, he should pay thousands of *Paṇa* as a penalty, but if the woman involves with the male (like an extramarital affair), the king takes the sum of five hundreds of *paṇa* from rapist *brāhmaṇa*.<sup>182</sup>

Some interesting points and facts are mentionable in the context of the law of Manu. *Manusmṛti* emphasized everywhere that Law cannot kill *Brāhmaṇa* but there is one situation, where a *Brāhmaṇa* can also be killed by the king without any trial or court case. The situation is; if a *Brāhmaṇa* teacher, teenager, old age man or expert of many *śāstra* becomes a tyrant and come to kill the king with or without a weapon, the king should quickly kill him without any hesitation.<sup>183</sup> It is an emergency provision for the protection of representative of Gods. *Brāhmaṇa* had a highly respective position in the society and system both and it was a doubtless fact but if he violates his line of character and tries to kill the king, that time his murder was not an *Adharma* or misconduct of the law.

The law of Manu seems very favorable for *Brāhmaṇa varṇa*. This spirit is easily observable in the entire *smṛti*. After the study of the political principles of this text, it could said that many social, political, economic, and religious phenomenon was changing rapidly. The supremacy of the first *varṇa* was getting ruin, and other communities were creating new social dimensions and dominion. Social behavior was influenced by new hybrid generations. The post-Vedic period was the witness of great changes in both good and bad manners. Rise of Buddhism and Jainism very much affected the contemporary Indian societies and social

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<sup>181</sup> . Vaiśyaḥ sarvasvadaṇḍaḥ syātsaṃvatsaranirodhataḥ,

Sahasraṃ kṣatriyo daṇḍyo maunḍyaṃ mūtreṇa cārhati.

–Manusmṛti, 8.375

<sup>182</sup> . Sahasro brāhmaṇo daṇḍyo guptāṃ viprāṃ balādvrajan,

Śatāni pañca daṇḍyaḥ syādicchantyā saha saṃgataḥ.

–Manusmṛti, 8.378

<sup>183</sup> . Guruṃ vā bālavṛddhau vā brāhmaṇaṃ vā bahuśrutam,

Ātatāyinaṃyāntaṃ hanyādevāvicārayan.

–Manusmṛti, 8.350

interactions and foreign invasions were creating new generations with mixed races, communities, and classes. Therefore, the study finds a huge list of hybrid communities, which originated from *Anuloma* and *Pratiloma* marriages, inter-religious marriages and by other reasons. If one sees the literary position of that time, it could be found out that, Sanskrit literature diverted its route from Vedic Sanskrit to *Laukika*. *Dharmasūtra* had prepared the ground for *Smṛti* literature. *Manusmṛti* linked the *Sūtra* from later *Smṛti* literature. *Manusmṛti* was not only the first text of the monarchial state but also the first historical text of Hindu society. Manu became the ideal of later political and social thinkers. One can never forget that the strictness and over-biased mentality also limited this tradition, and it gave the space of re-interpretation of all values.

### 1.3. Political Principles of *Yājñavalkyasmṛti*

*Yājñavalkya* is a very famous name, and it has been since the Vedic time. Many dialogues in Veda had taken place by the name of *Yājñavalkya*. He summarized the Śuklayajurveda, and he was the creator of other many texts and interpretations but is very hard to say that Vedic *Yājñavalkya* was the actual creator of *Yājñavalkyasmṛti* also.<sup>184</sup> Maybe some other scholars of the tradition of *Yājñavalkya* created this *smṛti* and gave it the name of his founder scholar.<sup>185</sup>

Time of this *smṛti* is very later to the *Manusmṛti*. *Arthasāstra* quoted in this text, means *Arthasāstra* was the earlier than this text.<sup>186</sup> Dr. Rajendra Prasad Pandey determined its time from 100 B.C. to 200 A.D. This *Smṛti* mostly followed the Manu, and it gives any clue about its time and author. *Yājñavalkyasmṛti* clearly says that when a dispute between two *smṛti* takes place, the earlier *smṛti*, which was accepted by scholars, will be considered as more authentic. When such kind of dispute arise between *Arthasāstra* and *Dharmasāstra*, the second will be considered as superior to *Arthasāstra*.<sup>187</sup> It means the *Arthasāstra* textual

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<sup>184</sup> . Pandey, Rajendra Prasad, "Dharmadruma", p. 40

<sup>185</sup> . Ibid.

<sup>186</sup> . Ibid, 41.

<sup>187</sup> . Smṛtyorvirodhe nyāyastu balavān vyavahārataḥ,

tradition had established earlier than this *smṛti*, and it was challenging the *Dharmaśāstra* theories. So, *Yājñavalkyasmṛti* advised considering the *Dharmaśāstra* as superior to *Arthaśāstra*. *Yājñavalkyasmṛti* has divided into three *Adhyāya*; *Ācārādhyāya*, *Vyavahārādhyāya*, and *Prāyaścittādhyāya*. There are 1012 *Śloka*s in entire *Yājñavalkyasmṛti*.<sup>188</sup>

### 1.3.1. Social Approach of *Yājñavalkyasmṛti*

The social aspect of this *smṛti* has been following the Manu but seems some differences also due to the time and condition. *Yājñavalkyasmṛti* concentrated on the *Vyavahāra* and *Prāyaścitta* than other aspects. This text avoided the discussion on social issues and left this on the previous *smṛti*. For example, Manu seems very strict on the occupation and *Śūdra*, and the only service was provided for his survival.<sup>189</sup>

*Yājñavalkyasmṛti* gave some relaxation to this community for his livelihood. Maybe this differentiation had occurred because of time and environment, or the highly strictly and often impractical rules of *Manusmṛti* created the room for evaluation of this tradition, and *Yājñavalkyasmṛti* provided some relaxations on social issues. It never mean that *Yājñavalkyasmṛti* avoided the rule of Manu, but he added some more clause as an option for the survival of *Śūdra*.

*Yājñavalkya* supported Manu and said that first, he would serve to his just three upper *varṇa* but if he became unable to find such job and the question of his survival arises, he can choose the occupation of *Vaiśya* or can earn for his livelihood by the occupation of artisan.<sup>190</sup> The second relaxation is about the donation. Manu strictly prohibits a *Brāhmaṇ* to take donation

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Arthaśāstrāttu balavaddharmaśāstramiti sthitiḥ.

–*Yājñavalkyasmṛti*, 2.21

<sup>188</sup> . Pandey, Rajendra Prasad, “Dharmadruma”, p. 39

<sup>189</sup> . *Manusmṛti*, 1.91

<sup>190</sup> . *Śūdrasya dvijaśuśrūṣā tayā’jīvanvaṇigbhavet,*

*Śilpairvā vividhairjīveddvijātihitamācaran.*

–*Yājñavalkyasmṛti*, 1.120

from *Śūdra*, but this *Smṛti* has shown some generosity with these communities and ordered the *Brāhmaṇa* to accept the donation from those particular *Śūdra* communities.

These communities are *Dāsa*, *Ahīra* (*Gopāla* the cowman), *Śūdra* friend on the family level, sharecropper *Śūdra*, barber and proposer.<sup>191</sup>

*Yājñavalkyasmṛti* seems to deny the marriage of *Dvija* men with *Śūdra* women<sup>192</sup>, but just after his view, he seems accepting the old tradition like previous thinkers.<sup>193</sup> Maybe this point occurred because of the absence of eligible same *varṇa* woman as the commentators predict.<sup>194</sup> Every man allowed staying with one marriage and wife. If the first wife has bad habits like alcohol addiction, sick until late, cunning, barren, wasteful, bitter speaker, only female child originator, and male-hating attitude destroys the married life of man, he can conduct the second marriage.<sup>195</sup>

The *Sādhāraṇa Dharma* (common duties for all communities) described by the *Yājñavalkyasmṛti* are; nonviolence, truth, the abdication of theft, purity, control over the sense organs, donation, control over the mind, mercy, restraint, and endurance.<sup>196</sup>

Such kinds of all rules and regulations have widely described in *Yājñavalkyasmṛti*. Social customs are very strict for *Dvija*, but wherever the social relations and other disputes arise, *Yājñavalkya* provided some soft rules than Manu.

<sup>191</sup> . Śūdreṣu dāsaḡopālakulamitrārdhasīriṇaḡ,

Bhojyānnā nāpitaścaiva yaścātmānaḡ nivedayet.

–Yājñavalkyasmṛti, 1.166

<sup>192</sup> . Yaducyate dvijāṭīnāḡ śūdrāddāropasaḡgrahaḡ,

Naitanmama mataḡ yasmāttatrāyaḡ jāyate svayam.

–Yājñavalkyasmṛti, 1.56

<sup>193</sup> . Tistro varṇānupūrvyeṇa dve tathaikā yathākramam,

Brāhmaṇakṣatriyaviśāḡ bhāryā svā śūdrajanmanaḡ.

–Yājñavalkyasmṛti, 1.57

<sup>194</sup> . Sharma, Shiv Deepak, “Yājñavalkyasmṛti”, p. 29

<sup>195</sup> . Surāpī vyādhitā dhūrtā vandhyārthaghnyapriyaḡvadā,

Strīprasūścādhivettavyā puruṣedveṣiṇī tathā.

–Yājñavalkyasmṛti, 1.73

<sup>196</sup> . Ahimsā satyamasteyaḡ śaucamindriyanigrahaḡ,

Dānaḡ damo dayā kṣāntiḡ sarveṣāḡ dharmasādhanam.

–Yājñavalkyasmṛti, 1.122

### 1.3.2. Polity in *Yājñavalkyasmṛti*

*Rājadharmā prakaraṇa* is the last *prakaraṇa* of the first chapter of *Yājñavalkyasmṛti*. All political discussion and principles took place in this section. First three *Śloka* of this section describes the eligibility criteria of the king. A king should be full of prompting, a great donator, beholden, service provider to the old people, humble, full with positive qualities, equal-minded in pleasure and sorrow, elite, truthfulness, pure, free of idleness, good memorizer, virtuous, kind-hearted, religious, disinterested in hunting etc., intelligent, warrior, clever in keeping the secrets, expert in Vedic studies (*Ānvīkṣikī*), Judicial studies (*Daṇḍanīti*), and commercial and trade affairs (*Vārttā*).<sup>197</sup>

These are the qualities, and every victorious kind should be full of these qualities. King should appoint the ministers for his assistance and advice. Those ministers also have some qualifications. Only that man can be the intellectual minister, come from dynastic tradition, gallants, and pure character. King should discuss all the governmental matters with these ministers, and then consult with the *Brāhmaṇa Purohita*; at last, he applies his mind on the issue and gives his judgement or governmental orders.<sup>198</sup>

*Purohita* (the priest) was the third important post in the governmental structure of *Yājñavalkyasmṛti* but his virtuous and spiritual status greater than the king at the same time. The priest was the trendsetter of not only the king but also of the whole system and state. His eligibilities were very sensitive and highest. He was the expert in astrology and

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<sup>197</sup> . Mahotsāhaḥ sthūlalakṣaḥ kṛtajño vṛddhasevakaḥ,  
Vinītaḥ sattvasampannaḥ kulīnaḥ satyavākśuciḥ.  
Adīrghasūtraḥ smṛtimānakṣudro'paruṣastathā,  
Dhārmiko'vyasanaścaiva prājñaḥ śūro rahasyavit.  
Svarandhragoptā"nvīkṣikyāṃ daṇḍanītyāṃ tathaiva ca,  
Vinītastvatha vārtāyāṃ trayyāṃ caiva narādhipaḥ.

–Yājñavalkyasmṛti, 1.309-311

<sup>198</sup> . Saḥ mantriṇaḥ prakurvīta prājñānmaulānsthirañśucīn,  
Taiḥ sārddhaṃ cintayedrājyaṃ vipraṇātha tataḥ svayam.

–Yājñavalkyasmṛti, 1.312



constellation, an expert in conducting various types of sacrifices and rituals, knower of *Daṇḍanīti* (the *Arthaśāstra*), and master in all disciplines of knowledge.<sup>199</sup>

*Adhyakṣa* (superintendents of various departments) were on the fourth position in the governmental ranking. They were appointed to observe public activities, marketing, trade, business, economy, religious activities, and all other governmental responsibilities. A king should appoint the people on these posts who are expert in *Dharma*, *Artha*, *Kāma*, proficient in income and expenditure affairs, dexterous in all works, pure-hearted and dutiful.<sup>200</sup>

### 1.3.2.1. Duty and Behavior of the King

The virtuous duty of a king is to attack enemy king, defeat him, take over his all wealth, and donate it among *Brāhmaṇas*. He should treat the citizens of the enemy state on safe conduct mode. He should forgive him and never apply any torture on them.<sup>201</sup>

The behavior of the king should be multi-dimensional towards various people and officials. He should be humble and apologetic for *Brāhmaṇas*, the very simple price for his friends, ireful for enemies, protect, and moderate the staff and citizens of the state like the father.<sup>202</sup> Protection of the subjects is the supreme duty and virtue for a king because when he protects and up-bring them honestly, the sixth part of alms-deed of the people automatically goes to the king. That is why; only the protection and upbringing of the people and state is the supreme duty of the king.<sup>203</sup>

<sup>199</sup> . Purohitam prakurvīta daivajñamuditoditam,  
Daṇḍanītyāṃ ca kuśalamatharvāṅgirase tathā. –Yājñavalkyasmṛti, 1.313

<sup>200</sup> . Tatra tatra ca niṣṇātānadyakṣāṅkuśalāñśucīn,  
Prakuryādāyakarmāntavyayakarmasu codyatān. –Yājñavalkyasmṛti, 1.322

<sup>201</sup> . Nātaḥ parataro dharmo nṛpāṇām yadraṇārjitam,  
Viprebhyo dīyate dravyaṃ prajābhyaścābhayaṃ sadā. –Yājñavalkyasmṛti, 1.323

<sup>202</sup> . Brāhmaṇeṣu kṣamī snigdheṣvajihmaḥ krodhano'riṣu,  
Syādrājā bhṛtyavargeṣu prajāsu ca yathā pitā. –Yājñavalkyasmṛti, 1.334

<sup>203</sup> . Puṇyātṣaḍbhagamādatte nyāyena paripālanam,  
Sarvadānādhikam yasmātprajānām paripālanam. –Yājñavalkyasmṛti, 1.335

Theory of external affairs (*Maṇḍala siddhānta*) and seven elements theory of the state (*saptāṅgarājya*) is just an imitation of Manu by *Yājñavalkya*. *Daṇḍa* theory of this *smṛti* is also same as Manu and accept the divine origin of this method. Justified implementation of this science on the subjects and enemies can bring precious and positive results. The state and its citizen feels safe and secure by its regulated usages, but if a king applies *Daṇḍa* without any sense and control, it can destroy everything of the king and state.<sup>204</sup> Such type of general guidelines has given in the last *prakaraṇa* of the first chapter.

The second chapter (*Adhyāya*) is '*Vyavahārādhyāya*.' The judicial process has described in this portion. From judicial point of view, it is the biggest and great work. Every dimension of crime and the criminology, case procedure, the system of punishment is widely described here. Some of them are unique and mentionable here. For example, environmental awareness seems in this text.

*Yājñavalkyasmṛti* fixed the punishment for cutting or harming the trees. Branch cutting, trunk cutting, or cutting the whole tree was the three type of crime. Every crime was finable, and the sum of thirty, forty and eighty *paṇa* respectively was the penalty.<sup>205</sup> Cutting of holy trees was a severe crime, but it was the double penalty from previous. Holy tree were the trees near a monastery, crematorium, border or other holy places or the tree in the campus of temple-like 'ficus religiosa' (*Pīpala*) and 'butea frondosa' (*Palāśa*).<sup>206</sup> Only conducting a crime was not the offence but incite to commit a crime was also a punishable offence. If somebody incites some other to conduct a crime, he should be punish at four-time much penalty than the criminal.<sup>207</sup>

<sup>204</sup> . Yathāśāstraṃ prayuktaḥ san sadevāsuraṃ mānavam,

Jagadānandayetsarvamanyathā tatprakopayet.

–*Yājñavalkyasmṛti*, 1.356

<sup>205</sup> . Prarohiśākhināṃ śākhāskandhasarvavidāraṇe,

Upajīvyadrumāṇāṃ ca viṃśaterdviguṇo damaḥ.

–*Yājñavalkyasmṛti*, 2.227

<sup>206</sup> . Caityaśmaśānasīmāsu puṇyasthāne surālaye,

Jātadrumāṇāṃ dviguṇo damo vṛkṣe ca viśrute.

–*Yājñavalkyasmṛti*, 2.228

<sup>207</sup> . Yaḥ sāhasaṃ kārayati sa dāpyo dviguṇaṃ damam,

Fake physician of animal and birds was able for *Prathama Sāhasa Daṇḍa*, fake doctor for common people was able for *Madhyama Sāhasa Daṇḍa*, and *Uttama Sāhasa Daṇḍa* punished fake doctor of officials and royal men.<sup>208</sup> It means there were many fake doctors and physicians. They were harmful to the health of animals, birds, human beings. Not only the fake physicians but also the adulterant crimes had been existing in that society. *Yājñavalkyasmṛti* provided the remedies for such crimes. Tincture in medicines, oil, clarified butter, salt, perfumery, grain, jaggery was the severe crime, and the criminal punished by the sum of sixteen *paṇa*.<sup>209</sup>

The criminology and science of punishment (*Daṇḍanīti*) seem very soft than Manu. Less physical and most of the crimes seems punishable by the penalty. Only physical violence with *Brāhmaṇa* was the crime where the physical suppression needed; the rest of the crimes punished by the financial penalties. Society at the time of *Yājñavalkyasmṛti* got more evolution than the time of Manu. Now the tincture in the goods started taking place in larger scale so that the experts have taken this as a crime and provided the punishment for such crimes.

#### 1.4. Political Principles in *Nāradaśmṛti*

Scholars count this *śmṛti* after Manu and *Yājñavalkya*. It is the third most reputed text in this tradition. Current Indian Penal Code (IPC) used this text for explaining the “Hindu Law” after *Yājñavalkya*. Modern legal studies in India referred to this text as the evidence of ancient law. *Nāradaśmṛti* has four chapters. The first chapter is “*Nāradamātrkāyāṃ Vicāradarśanaṃ*,” and it describes the causes of dispute, the role of king as chief justice. The second chapter is “*Vyavahāramātrkā*,” the third is “*Sabhālakṣaṇaṃ*.” All these three chapters assemble the instruments and tools for proceeding the ‘*Vyavahāra*’ (case/trial). The

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Yaścaivamuktivā'haṃ dātā kārayetsa caturguṇam.

–Yājñavalkyasmṛti, 2.231

<sup>208</sup> . Bhiṣaṇmithyācarandaṇḍyastiryakṣu prathamam damam,

Mānuṣe madhyamaṃ rājapuruṣeṣūttamaṃ damam.

–Yājñavalkyasmṛti, 2.242

<sup>209</sup> . Bheṣajasnehalavaṇagaṇadhānyaguḍādiṣu,

Paṇyeṣu prakṣīpanhīnaṃ paṇāṇdāpyastu ṣoḍaśa.

–Yājñavalkyasmṛti, 2.245

fourth chapter has eighteen sub-parts according to the variety of crime and disputes.<sup>210</sup> *Nāradaśmṛti* has 1028 *Ślokas*.<sup>211</sup> It is remarkable that after the *Manusmṛti*, the political aspect in this tradition went slowly out from the discussion. The social aspect and *Vyavahāra* replaced all other things from discussion. Hundreds of *śmṛti* texts carried forward such discussions, and these discussions centralized on social behavior only. Therefore, the study finds out a few political discussion in these texts. *Nāradaśmṛti* is not an exception to this assumption. Most of the topics are only social behavior related disputes. Though justice is an essential part of politics, when it delimits itself within some boundaries, its relevance also gets limited.

King presented as the protector and moderator of justice because he holds the authority of “*Daṇḍa*.” It is only the king, who is the supreme authority, and only he can give the final decision in any case and trial. That is why; he called the “*Daṇḍadhara*.”<sup>212</sup> There are five authorities to deliver the decision for justice. *Kula* (family), *Śreṇī* (occupation-based group), *Gaṇa* (association of *śreṇī*), *Adhikṛta* (Judge, appointed by the king) and *Nṛpa* (the king). ‘*Kula nyāyasthāna*’ is the smallest unit, whereas the king was the supreme authority of justice. Every level had much power and authority than its just smaller unit. The upper court could evaluate the judgement of the lower court and could reverse the previous decision.<sup>213</sup>

The *vyavahāra* (legal procedure) takes place when the dispute takes place. It means the dispute is the origin place of *vyavahāra*. The dispute or crime originated from three types of mentalities. These are *Kāma* (unnecessary desires), *Krodha* (ego/anger) and *Lobha* (greed). Finally, the *vyavahāra*’s origin cause are these three aspects of human nature. That is why;

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<sup>210</sup> . *Nāradaśmṛti*, 1.16-19

<sup>211</sup> . Pandey, Rajendra Prasad, “*Dharmadruma*”, p. 44

<sup>212</sup> . Naṣṭe dharme manuṣyāṇāṃ vyavahāraḥ pravarttate,

    Draṣṭā ca vyavahārāṇāṃ rājā daṇḍadharaḥ śmṛtaḥ.

–*Nāradaśmṛti*, 1.2

<sup>213</sup> . Kulāni śreṇayaścaiva gaṇāścādhikṛto nṛpaḥ,

    Pratiṣṭhā vyavahārāṇāṃ gurvebhyastūttarottaram.

–*Nāradaśmṛti*, 1.7

'Triyoni' (*Kāma, Krodha, and Lobha*) is the origin of *vyavahāra*.<sup>214</sup> Question of superiority between *Dharmaśāstra* and *Arthaśāstra* have discussed by *Nārada*, and he declared the *Dharmaśāstra*'s superiority against *Arthaśāstra*.<sup>215</sup>

*Yājñavalkya* introduced this discussion, and it is showing that *Arthaśāstra* was challenging somewhere these texts and their tradition. The judicial principles of *Nārada* are the emulation of *Manu* and *Yājñavalkya*. Appointment of judges, *Sabhāsada*, and other officials' provision is the same as the previous discussion. *Nārada* called the "*Sabhā*" to the court. A court is 'the court' when it has the well-matured people, not only by age but also by intellect and honesty. Those people should always speak for the Dharma, and that dharma should be full of truth. The derived truth of the court should be free from trick and deceit.<sup>216</sup>

The fourth chapter of *Nāradasmṛti* divided into eighteen sub-parts, and all are judicial dispute related divisions. Some of rules, regulations, and theories mentionable during this discussion. *Nārada* also believes that some communities have occupation-based equality between male and female.

Laundryman, Huntsman, neatherd, and liquor seller are the communities where the husband and wife equally conduct their occupation. That is why; if the wife takes a loan from any source, the responsibility of debt repayment goes to her husband.<sup>217</sup>

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<sup>214</sup> . Kāmāt krodhācca lobhācca tribhyo yasmāt pravarttate,

Triyoniḥ kīrttyate tena trayametad vivādakṛt.

–Nāradasmṛti, 1.26

<sup>215</sup> . Arthaśāstroktamutsṛjya dharmāśāstroktamācāret,

Dharmaśāstravirodhe tu yuktivyukto vidhiḥ smṛtaḥ.

–Nāradasmṛti, 1.39

<sup>216</sup> . Na sā sabhā yatra na santi vṛddhā,

Vṛddhā na te ye na vadanti dharmam.

Nāsau dharmo yatra na satyamasti,

Na tatsatyam yacchalenānuviddham.

–Nāradasmṛti, 3.18

<sup>217</sup> . Anyatra rajakavyādhagopaśauṇḍikayoṣitām,

Teṣāṃ tatpratrayā vṛttiḥ kuṭumbaṃ ca tadāśrayam.

–Nāradasmṛti, 4.1.19

### 1.4.1. Types of Money

It is interesting and mentionable information. *Nāradaśmr̥ti* describes the types of money as per their way of earning and nature. The usages of money have three ways, respectively; saving, enhancement, and expenditure.<sup>218</sup> These are the primary ways to invest money. Saving for further usages called the first type of consumption because saving the money for an emergency but in a justified amount is not a bad habit or crime. Source of money and nature of earning distinct it into three types. First is *Śukla* (white money), second is *Śabala* (Light spotted money), and third is *Kṛṣṇa* (Black money). Each money has seven sub-types.<sup>219</sup>

While money has seven types. Money earned by educational effort, bravery, money by good behavior and conduct, money for daughter's marriage, a donation from the pupil, money earned by conducting sacrifices and property of ancestors is called the white money. Its sources and efforts are also white due to their hard work.<sup>220</sup> Money earned by interest, agriculture, commercial profit, money is taken by the groom from bride side (dowry), earning from crafting, fee against the service, earned money in lieu of beneficence are the second-grade *Śabala* money.<sup>221</sup> If the money earned by destructive ways like a bribe, gambling, messenger (selling the secret information), money earned by persecuting others, theft, robbery, earned money by fraud; such kinds of money is the black money.<sup>222</sup>

<sup>218</sup> . Dhanamūlāḥ kriyāḥ sarvā yatnastatsādhane mataḥ,

Rakṣaṇaṃ vardhanaṃ bhoga iti tasya vidhiḥ kramāt.

–Nāradaśmr̥ti, 4.1.43

<sup>219</sup> . Tatpunastrividhaṃ jñeyaṃ śuklaṃ śabalameva ca,

Kṛṣṇaṃ ca tasya vijñeyaḥ prabhedāḥ saptadhā pṛthak.

–Nāradaśmr̥ti, 4.1.44

<sup>220</sup> . Śrutaśauryatapaḥ kanyāśiṣyayājyānvayāgatam,

Dhanaṃ saptavidhaṃ śuklamudyogastasya tadvidhaḥ.

–Nāradaśmr̥ti, 4.1.45

<sup>221</sup> . Kusīdakṛṣivāñijyaśulkaśilpānuvṛttibhiḥ,

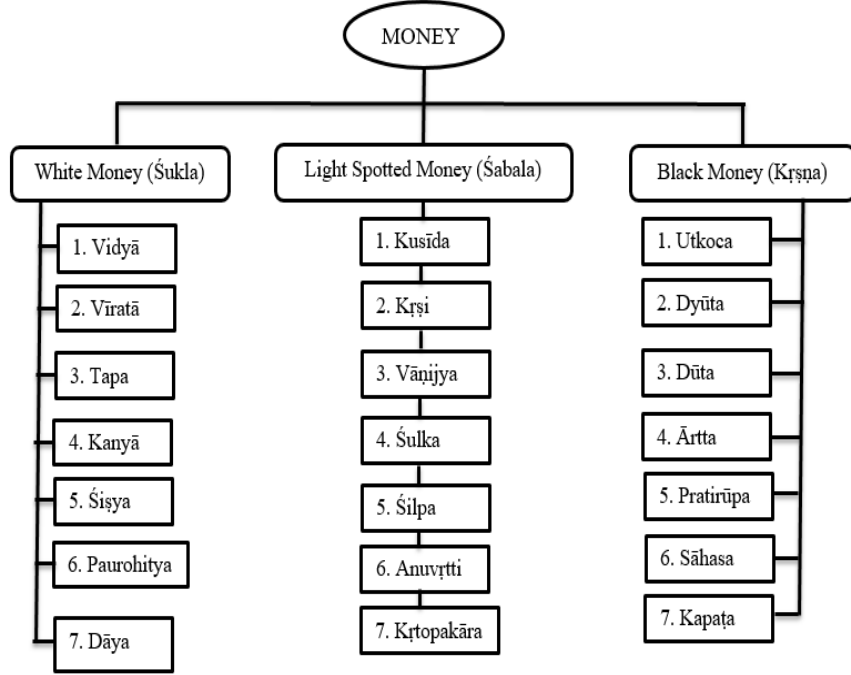
Kṛtopakāradāptaṃ ca śabalaṃ samudāhṛtam.

–Nāradaśmr̥ti, 4.1.46

<sup>222</sup> . Utkocadyūtadautyārtipratirūpakasāhasaiḥ,

Yyājenopārjitaṃ yacca kṛṣṇaṃ hi tadudāhṛtam.

–Nāradaśmr̥ti, 4.1.47



#### 1.4.2. Some other Rules and Theories

*Nārada* determined the rules for emergency survival (*Āpaddharma*). *Brāhmaṇa* can temporarily adopt the occupation of *kṣatriya* and *Vaiśya* for his survival, but he has not to adopt the occupation of *Śūdra* at any cost or condition. *Śūdravṛtti* strictly prohibited for a *Brāhmaṇa*.<sup>223</sup> The same rule applies to *Śūdra* as his *Āpaddharma*. He can never adopt the occupation of *Brāhmaṇa*.<sup>224</sup> Remaining two *varṇa* may choose any occupation at emergency survival but first and the last *varṇa* bounded. Both have only two occupations apart from their own.

Some clear definitions have determined in this text, which often had the second priority in other texts. *Sāhasa*, *Vākpāruṣya*, *Daṇḍapāruṣya*, etc. had clearly defined here. If somebody conducts some effort suddenly with ego and muscle power that called the *Sāhasa* because

<sup>223</sup> . Āpatsvanantarā vṛttirbrāhmaṇasya vidhīyate,

Vaiśyavṛttistataścoktā na jaghanyā kathaṅcan.

–Nāradaśmṛti, 4.1.56

<sup>224</sup> . Na kathaṅcana kurvīta brāhmaṇaḥ karma vārṣalam,

Vṛṣalaḥ karma na brāhmaṇaḥ patanīyo hi te tayoh.

–Nāradaśmṛti, 4.1.57

‘*saha*’ means the ‘*bala*’ or the muscle power.<sup>225</sup> Hurting someone by harsh speech or abusive language is the ‘*Vākpāruṣya*.’ When somebody abuses some other person by targeting his birth, family caste, community, region, etc. that offence called the ‘*Vākpāruṣya*.’<sup>226</sup> Physical thwack on some other’s body to harm him/her by hand, feet or weapon or throwing cinder on others called the ‘*Daṇḍapāruṣya*.’<sup>227</sup> Execution of *Daṇḍa* described by *Nārada* is nothing but the literal imitation of Manu.<sup>228</sup> *Nāradaśmṛti* revived the Manu. It could be seen that Manu has taken the strict path during the rule construction and social norms determination, but *Yājñvalkya* has taken the soft way, and his softness seems at the execution of *Daṇḍa*. *Nārada* once again followed Manu, and the rest of the literature followed both of them.

## 2. Political Principles of *Arthaśāstra*

It is the first complete text dedicated to the polity, government, administration, statecraft, and war. Before this text, the politics had been carrying by the tradition and thinkers as the element of social behavior only. The focus was only on the stability of the *varṇa* system in the society, and new rules were only taking place for new added communities and castes. As seen in the previously discussed traditions, all about politics and government was just the part of the whole discussion of the text. *Arthaśāstra* first time broken this groove and gave a separate identity to politics and governmental affairs.

The word ‘*Artha*’ has several meanings. Firstly it is the second element of the four supreme virtues of life (*Puruṣārthacatuṣṭaya*). Here the ‘*Artha*’ means wealth that make the life affordable, and the Dharma takes place by the help of ‘*Artha*.’ The rituals, sacrifices, donation, contribution, and other folk welfare works can only have done by the ‘*Artha*.’ This

<sup>225</sup> . Sahasā kriyate karma yatkiñcidbaladarpitaiḥ,

Tat sāhasamiti proktaṃ saho balamihocyate.

–Nāradaśmṛti, 4.14.1

<sup>226</sup> . Deśajātikulādīnāmākrośanyaṅgasamyutam,

Yadvacaḥ pratikūlārthaṃ vākpāruṣyaṃ taducyate.

–Nāradaśmṛti, 4.15.1

<sup>227</sup> . Paragātresvabhidroho hastapādāyudhādibhiḥ,

Bhasmādīnāmupakṣepairdaṇḍapāruṣyamucyate.

–Nāradaśmṛti, 4.15.4

<sup>228</sup> . Nāradaśmṛti, 4.15.20-30



is the simple meaning, and dominantly this sense had taken by poets also.<sup>229</sup> The second meaning of 'Artha' is was the 'sense of the word' (*Śabdapratipādyah*).<sup>230</sup> *Arthaśāstra* added two more meanings and said that the 'livelihood of people' and a 'particular land containing with human population,' both are the 'Artha'.<sup>231</sup> A discipline of knowledge (*Śāstra*) deals with that land for the betterment of human livelihood and for the upbringing of the population, called '*Arthaśāstra*'.<sup>232</sup> The canvas of *Arthaśāstra* is very vast and unlimited, like the kingdom of a *Cakravartin* king. It not only discusses the wealth of individual and the state but also about the entire land containing with human population and the population is working for their livelihood and life. This *Śāstra* has created for improvement and moderation of such life and affairs. That is why; this word covered all the relevant political, governmental, administrative, diplomatic, and martial laws. The Sanskrit literature first time paid its attention to the comprehensiveness of the politics. Concept of a unified nation had been introduced by this text very first time in the history of Sanskrit literature.

### 2.1. Time and author of *Arthaśāstra*

Pt. *Rudrapatnam Shamasastri* discovered this text from Trivandrum south India in the first half of 20<sup>th</sup> century A.D. during his job as a librarian in Mysore Oriental Library, now known as the Oriental research institute.<sup>233</sup> Pt. Shastri declared it as the creation of *Viṣṇugupta* or *Cāṇakya*, also known as *Kauṭilya*. A battle of articles<sup>234</sup> has begun after the discovery and declaration about the *Arthaśāstra*. The writer, chronology, language, and script of this text snatched the deep attention of the scholars. The famous Sanskrit play "*Mudrārākṣasaṃ*" of *Viśākhadatta* of 8<sup>th</sup> century A.D. first time gave the information about *Kauṭilya* and his work. This play revealed that *Cāṇakya* was the prime minister of great *Mauryan* emperor

<sup>229</sup> . Artho hi kanyā parakīya eva tāmadya sampreṣya parigrahītuḥ,

Jāto mamāyaṃ viśadaḥ prakāmaṃ pratyarpitanyāsa ivāntarātmā.

–Abhijñānaśākuntalam, 4.22

<sup>230</sup> . Śabdakalpadrumaḥ, Vol. 1, p. 104

<sup>231</sup> . Manuṣyāṇāṃ vṛttirarthaḥ, manuṣyavatī bhūmirityarthaḥ.

–Arthaśāstra, 15.180.1.1

<sup>232</sup> . Tasyāḥ pṛthivyāḥ lābhapālanopāyāḥ śāstramarthaśāstramiti.

–Ibid

<sup>233</sup> . <http://oneindiaonepeople.com/discoverer-of-kautilyas-arthashastra/>

<sup>234</sup> . Prasad, Beni, Theory and Government of Ancient India, p. 91.

*Candragupta Maurya* and both abolished the *Nanda* dynasty and established the *Mauryan* Empire in *Magadha Mahājanapada*. It was the information about a play which could be an imaginary play also. That is why *Cāṇakya* and his work had been deprived from the identity and fame until its discovery. Many other literary sources cited the name and author of this text. *Kāmandaka* praised *Kauṭilya* in his *Nītisāra*<sup>235</sup>, but scholars deeply analyzed its time and author. Dr. Jolly published the *Arthaśāstra* and raised six major blames about the authority and author of this text. Dr. K.P. Jayaswal point-wise responded Jolly and established that it was the creation of *Cāṇakya*, who was the prime minister of *Candragupta Maurya*.<sup>236</sup>

The scholars mentioned above have not initiated the chronological debate regarding *Arthaśāstra*. As it's been known that Sanskrit was not the prime language till the end of *Mauryan* dynasty. *Ashoka*, the grandson of *Candragupta*, became the emperor of the largest kingdom, and he established many rock edicts almost entire sub-continent of contemporary India. These edicts are the first available evidence of writing in ancient India. *Ashoka* inscribed his almost edicts in *Brāhmī* script and used the *Pali* and *Prākṛt* languages. Means Sanskrit was not considered as the official, comprehensive and folk language till *Mauryan* dynasty.<sup>237</sup> Sanskrit got the governmental shelter after the *Mauryan* dynasty, and it became the official language in the post-Gupta period.<sup>238</sup>

Maybe some particular communities had carried this language, but its larger folk acceptance till *Mauryan* dynasty is hardly believable. In such lingual, archeological, and historical circumstances, it seems tough to accept that a prime minister used advance Sanskrit like modern Sanskrit when a few communities had carried it. This point of view needs the re-study, reassessment, and larger research to solve the question and knot. Maybe the script of *Viśākhadatta* presented in his play '*Mudrārākṣasa*' would become proves irrational in future

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<sup>235</sup> . Nītiśāstrāmṛtaṃ dhīmānarthaśāstra mahodadheḥ,

Samuddaghe namastasmai viṣṇuguptāya vedhase.

–Kāmandakīyanītisāra, 1.1.6

<sup>236</sup> . Jayaswal, K.P., "Hindu Polity", pp. 378-381

<sup>237</sup> . Sharma, R.S., "India's Ancient Past, p. 3

<sup>238</sup> . Ibid, pp. 3-4

like the ‘Home sacrifice story of Buddha,’ which was created by *Aśvaghoṣa* in the “*Buddhacaritaṃ*.” This possibility is just an assumption on the first sight of historical, archeological, lingual evidence. Until the proper research on all these dimensions take place and it carries some fruitful result, it is important to follow the conception given by the discoverer of *Arthaśāstra*. Further discussion on this text will consider the *Cāṇakya* as the prime minister of *Candragupta Maurya*.

## 2.2. Structure of *Arthaśāstra*

It is not the story or novel but the constitutional text for a monarchial state. *Arthaśāstra* did not mention any particular king, but it was for all those rulers, who want to be successful in both internal governance and external expansion of state boundaries. Structure of *Arthaśāstra* carried this theme and tried successfully to deal with both aspects. Entire *Arthaśāstra* divided into 15 of *Adhikaraṇa*, and these 15 *Adhikaraṇa* have 180 *Prakaraṇa*.<sup>239</sup> Every *Prakaraṇa* has various chapters. It is a scientific and systematic distinction. *Arthaśāstra* is the representative text of ancient India’s polity and governance. It described some theories for the first time. Major political principles and the structure of government by *Kauṭilya* is mentionable.

## 2.3. The King

*Arthaśāstra* starts with the discussion on the *Vidyā*, and *Cāṇakya* accepted all four *Vidyā*.<sup>240</sup> Next two *Prakaraṇa* describes the education. Efficiency in all these disciplines is necessary for a ruler. *Cāṇakya* did not mention the caste or *varṇa* of the king, but he favored the king from *Dvija* community. *Varṇa* order and duties of all *Varṇa* is as same as *Manu*. *Cāṇakya* described that upbringing of the next king should be taught all the disciplines with all the necessary *Samskāra*. He should start learning the alphabets and numerals after his first ceremonial head shaving, and he should learn all *Vidyā* after his *Upanayana Samskāra*.

<sup>239</sup> . Gairolā, Vācaspati, “*Kauṭīliya Arthaśāstram*”, Chaukhamba Sanskrit Pratishthan, Delhi, 2006.

<sup>240</sup> . Ānvīkṣikī trayī vārtā daṇḍanīśceti vidyāḥ.

–*Arthaśāstra*, 1.1.2.1

Catasra eva vidyā iti kauṭīlyāḥ.

–*Arthaśāstra*, 1.1.2.5

These both are the education-related life-rituals and *Upanayana* prohibited for *non-dvija* communities. *Cāṇakya* made the *Upanaya saṃskāra* necessary for all *dvija* and especially for the ruler.<sup>241</sup> That is an indirect indication that he only favors the *Kṣatriya* or *Dvija* for kingship. *Cāṇakya* emphasized on the educational and character-based upbringing of the future king. He gave many examples of various kings who became destroyed by their moral triviality.<sup>242</sup>

*Kauṭilya* suggests the king to completely leave the six internal enemies and improve himself under the supervision of senior scholars.<sup>243</sup> King's royal character is most important. If he is full of self-controlling power, he will be able to control his system and subject with full command. That is why; his unique and pure character needed. He should properly moderate his subject and try to involve them in their duties, educate his subjects also so that they can be a good and responsible citizen. King should always appreciate his subjects by awarding them.<sup>244</sup> Here *Cāṇakya* advises the king for making an effort in three *Puruṣārthas*, but a king should pay much attention to the second *Puruṣārtha* 'Artha' because 'Dharma' and 'Kāma' are dependent of 'Artha.'<sup>245</sup>

### 2.3.1. Duties of King

Entire *Arthśāstra* has the directions and suggestions for king but some there are some unique provisions need remarkable here. First, a king should always be energetic and active. He never shows the laziness neither in work nor in daily life. If he is lazy, his subordinates will be the same because the system follows its leader.<sup>246</sup> *Kauṭilya* is very strict about the daily routine of the king. He did not leave it on the king, but he created the timetable for the king

<sup>241</sup> . Vṛttacaulakarmā lipiṃ saṃkhyānaṃ copayuñjīta. Vṛttopanayanastrayīmānvīkṣakīṃ ca śiṣṭebhyaḥ, vārttāmadhyakṣebhyaḥ, daṇḍanītiṃ vaktṛprayokṭṛbhyaḥ. —Arthśāstra, 1.2.5.4

<sup>242</sup> . Arthśāstra, 1.3.6.2

<sup>243</sup> . Tasmātariṣaḍvartatyāgenendriyajayaṃ kurvīta. Vṛddhasaṃyogena prajñāṃ. —Arthśāstra, 1.3.7.1

<sup>244</sup> . Kāryānuśāsanena svadharmasthāpanaṃ, vinayaṃ vidyopadeśena, lokapriyatvamarthasaṃyogena, hitena vṛttim. —Arthśāstra, 1.3.7.1

<sup>245</sup> . Artha eva pradhāna itī kauṭilyaḥ; arthamūlau hi dharmakāmāvīti. —Arthśāstra, 1.3.7.4

<sup>246</sup> . Rājānamuttiṣṭhamānamanūttiṣṭhante bhṛtyāḥ. pramādyantamanupramādyanti. —Arthśāstra, 1.14.19.1

and advised him to follow it.<sup>247</sup> King should always be easily accessible for his common citizen, whoever comes to his court with any grievance. He should quickly respond for petitioners without any delay.<sup>248</sup> If the ruler's availability for his citizens gets uneasy and full with a lengthy process, it is very harmful not only for the system but also for his self. This act can make the subjects rebellion and governing system be corrupted. His ministers become angry on him, and the sympathy of all system and subject may shift towards the enemy.<sup>249</sup> The pleasure of the king is depended in the pleasure of his subject, and his welfare is secure in the welfare of his subject. Nothing is beneficial for the king if his subject has no benefit (in any effort). Only the welfare of subject is the highest benefit for a king.<sup>250</sup> King or ruler is not the dictator in *Arthaśāstra*. Even his unlimited divine powers are not for the suppression of his subjects. *Kauṭilya's* king strictly bound with the welfare of the state. Security, safety, law, and order of the subject is the supreme political principle of *Arthaśāstra*. The Machiavelli of India had described such kind of many ideal provisions and orders.

#### 2.4. The Royal Prince and protection

There are many layers of subordinates under the king. King is the first and supreme authority of the state, but he cannot deal with the entire system alone. That is why; *Cāṇakya* appointed many ranks around the kingship for the help and the execution of welfare policies. First subordinated post was the royal prince. It was the next king. Power change in the monarchial system is based on hereditary. The next king had been born from the womb of the wife of the current king. It was a pre-decided post, and the claimants of this post were only the son of the king. *Kauṭilya* seems worried about the safety of the king from the royal prince. He quoted many political thinkers and gave their opinions for dealing with the wicked prince.<sup>251</sup>

<sup>247</sup> . *Arthaśāstra*, 1.14.19.1-3

<sup>248</sup> . *Upasthānagataḥ kāryārthināmadvārāsaṅgaṃ kārayet.*

–*Arthaśāstra*, 1.14.19.5

<sup>249</sup> . *Durdaśo hi rājā kāryākāryaviparyāsamāsannaiḥ kāryate. tena prakṛtikopamarivaśaṃ vā gacchet.* –*Ibid.*

<sup>250</sup> . *Prajāsukhe sukhaṃ rājñāḥ prajānāṃ ca hite hitam,*

*Nātmapriya hitaṃ rājñāḥ prajānāṃ tu priyaṃ hitam.*

–*Arthaśāstra*, 1.14.19.10

<sup>251</sup> . *Arthaśāstra*, 1.12.17.1-16

It is a huge and multi-dimensional debate for the safety and security of the prince and of the king from such kind of bad prince. Lastly, *Kauṭilya* says that we cannot compromise for the next kingship, so a king should take precautions from the first appearance of the prince in the world and try to give him the best level of education and training of conducts.<sup>252</sup> If anyone prince is wicked among his brothers, that prince is able to put in the prison. If all sons of king are well educated and with good conduct, the king should appoint the eldest son on the post of a royal prince.<sup>253</sup> If the appointment of one prince seems uneasy due to their equal talent, they should collectively operate the state. It is the best option and path for operating the state. When many people collectively lead, disability of any one compound could not be able to harm the entire system.<sup>254</sup>

## 2.5. Ministers: Central Cabinet of the King

Even the greatest and divine king cannot operate the state with alone; he has to appoint ministers and other officials for his help. King is just a single wheel of the cart of government and ministers, and other officials are the wheel of another side.<sup>255</sup> *Kauṭilya* referred eight scholars (including himself) regarding the eligibility criteria of the ministers.<sup>256</sup> King should not ignore any particular person for the post of minister of ministerial officers, but he should give the equal opportunity to all eligible candidate based on their education, intellect, courage, quality, flaw, place, time and condition.<sup>257</sup> Minister and priest, these two posts are

<sup>252</sup> . Evamayam navabuddhiradyaducyeta tattacchāstropadeśamivābhijānāti. Tasmād dharmamartha  
cāsyopadiśennādharmamanartha ca. –Arthaśāstra, 1.12.17.12

<sup>253</sup> . Bahūnāmekasaṃrodhaḥ pitā putrahito bhavet,  
Anyātrapada aiśvaryaṃ jyeṣṭhabhāgi tu pūjyate. –Arthaśāstra, 1.12.17.17

<sup>254</sup> . Kulasya vā bhavedrājyaṃ kulasaṅgho hi durjayaḥ,  
Arājavyasanābādhaḥ śāsvadāvasati kṣitim. –Arthaśāstra, 1.12.17.18

<sup>255</sup> . Sahāyasādhyam rājatvam cakramekam na vartate,  
Kurvīta sacivāṃstasmātteṣāṃ ca śṛṇuyānmatam. –Arthaśāstra, 1.3.7.6

<sup>256</sup> . “Amātyaniyuktiḥ” –Arthaśāstra, 1.4.8. 1-10

<sup>257</sup> . Vibhajyāmātyavibhavam deśakālau ca karma ca,  
Amātyāḥ sarva evaite kāryāḥ syurna tu mantriṇaḥ. –Arthaśāstra, 1.4.8.11

very important and full the responsibility like the king, just after the king. *Cāṇakya* described the 25 eligibility criteria for the post of the minister<sup>258</sup>, but only these qualifications were not the guarantee of their final selection. All selected candidates re-checked by an interesting and unique examination. This examination based on the four *puruṣārtha*. These four cross-examining techniques called the *Dharmopadhā*, *Arthopadhā*, *Kāmopadhā*, and *Bhayopadhā*.<sup>259</sup> This crosschecking was the examining tools of the character and faith of the ministers. Those ministers, who had passed the *Dharmopadhā*, filled the post of officer for civil courts (*Dharmasthānīya*), the anti-corruption criminal court (*Kaṇṭhakaśodhaka*). Post of the chief tax collector and head of treasures filled by those ministers, who passed the *Arthopadhā*. *Kāmopadhā* passed ministers were eligible for the security officers, and they appointed for the security of internal and external governmental buildings and palaces. King should appoint as his bodyguards, who have passed the *Bhayopadhā*.<sup>260</sup> Finally, passed in all the cross-examinations, only they are eligible for the post of ‘Minister.’<sup>261</sup> Whoever the candidate was failed in all spheres during crosschecking, those *Amātyas* should be appointed in hard-working physical responsibilities like mines, elephant troops, and forest services.<sup>262</sup> *Kauṭilya* cautioned the king and the royal queen to escape from direct participation in above-mentioned crosschecking methods. Sometimes it may be hurting for the *Amātya*, and a wound in his heart could take place forever. This would be harmful to the king or his system in the future.<sup>263</sup>

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<sup>258</sup> . Arthaśāstra, 1.4.9.1

<sup>259</sup> . Ibid, 1.5.10.1-5

<sup>260</sup> . Tatra dharmopadhāsuddhān dharmasthānīyakaṇṭhakaśodhaneṣu sthāpayet, arthopadhāsuddhān samāhartṛsannidhātṛnicayakarmasu, kāmopadhāsuddhān bāhyābhyāntaravihārarakṣāsu, bhayopadhānaśuddhānāsannakāryeṣu rājñāḥ. –Arthaśāstra, 1.5.10.6

<sup>261</sup> . Sarvopadhāsuddhān mantriṇaḥ kuryāt. –Ibid

<sup>262</sup> . Sarvātraśucīn khanidravyahastivanakarmānteṣūpayojayet. –Arthaśāstra, 1.5.10.6

<sup>263</sup> . Na tveva kuryādātmānaṃ devīm vā lakṣmīśvaraḥ, Śaucahetoramātyānāmetat kauṭilyadarśanam. –Arthaśāstra, 1.5.10.8

The number of ministers in the central cabinet of the king is remarkable here. *Cāṇakya* quoted Manu,<sup>264</sup> *Bṛhaspati*<sup>265</sup> and *Śukrācārya*<sup>266</sup> and told the number of ministers as twelve, sixteen and twenty respectively. However, it has been seen that Manu permitted for seven or eight ministers and *Śukrācārya* permitted for ten ministers in the central cabinet. It is factual dissimilarity, and such type of clashes occurred at several places in *Arthaśāstra*.

All other disciplines determined the criteria for ministers only the basic requirements except the *Kauṭilya*. It is only the *Arthaśāstra*, where the examination of character, loyalty, honesty, and faith of the *Amātya* get examined. It is the unique and very advanced formula of this text. Even today, such an examination tool is not available, but *Cāṇakya* systematically described this mechanism. He was aware of the behavior of officers, and he was not ready to compromise with the quality and character of the highest post officers.

## 2.6. Intelligence system in *Arthaśāstra*

The spy or intelligence system of *Kauṭilya* is the most advanced and unique system. He established it on both; internal level and external level. Dealing with domestic conflicts, observation on officers, system, and people and forwarding the information to the king is the work of an internal intelligence system. Watch and ward on the external enemies of the state was the second wing of intelligence. *Kauṭilya* established both agencies. He left the heavy responsibility of governance on these spies because *Kauṭilya* had no trust on anyone other than the spies.

### 2.6.1. Structure of Intelligence

*Kauṭilya* described nine varieties of spies;<sup>267</sup> fraudulent disciple, recluse, householder, merchant, ascetic practicing austerities, classmate or colleague, firebrand, poisoner and a mendicant woman.<sup>268</sup> First five were the steady detectives, and the rest of the four were the

<sup>264</sup> . Mantripariśadaṃ dvādaśāmātyān kurvīteti mānavāḥ.

—Arthaśāstra, 1.10.15.14

<sup>265</sup> . Śoḍaśeti bārhaspatyāḥ.

—Arthaśāstra, 1.10.15.15

<sup>266</sup> . Viṃśatimityauśanasāḥ.

—Arthaśāstra, 1.10.15.16

<sup>267</sup> . Kāpaṭikodāsthitaḡṛhapativaidchakatāpasavyaṅjanān satriṭikṣṇarasadabhikṣukīśca. —Arthaśāstra, 1.6.11.1

<sup>268</sup> . Samashastrī, R., “Kauṭilya Arthaśāstra”, p. 35.



communicant spies.<sup>269</sup> The first detective, the fraudulent disciple was the spy in the student customs.<sup>270</sup> The second was the spy in the customs of saint or solitaire.<sup>271</sup> Third, householder was the spy living like the farmer among common people, and he was involved in a cultural occupation like the *Udāsthika*.<sup>272</sup> The fourth was the spy, hiding as a seller or merchant and was a doer of business activities for the folk.<sup>273</sup> The fifth spy was the *Tāpasa* or ascetic practicing austerities and was hiding behind the costume of shaved-head or braided haired ascetic.<sup>274</sup>

Second and fifth spies were living with many students or pupils, and they depended on provided agricultural land and forests. They were not the movers, but their pupils and students were the medium of information communication. *Satrī* spies were the educators, entertainers, and knower of many disciplines. *Tīkṣṇa* was the aggressive-minded dangerous spies, and they had no fear.<sup>275</sup>

*Rasad* were the poisoners, and they were very lazy but heartless.<sup>276</sup> *Pārivrajikā* was the female spy in the costume of female saint or solitaire.<sup>277</sup> All these four were the movable detectives, and these were only the information pickers from the ground. The female spy was the communicative factor between moving detectives and steady spies.

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<sup>269</sup> . Gairola, Vachaspati, “Kauṭīlīya Arthaśāstraṃ”, p. 32

<sup>270</sup> . Paramarmajñāḥ pragalbhaśchātraḥ kāpaṭikāḥ. –Arthaśāstra, 1.6.11.2

<sup>271</sup> . Pravajyāpratyavasitaḥ prajñāśaucayukta udāsthitaḥ. –Arthaśāstra, 1.6.11.3

<sup>272</sup> . Kṛṣako vṛttikṣīṇaḥ prajñāśaucayukto gṛhapatikavyañjanaḥ. Sa kṛṣikarmapradīṣṭāyāṃ bhūmāvīti samānaṃ pūrveṇa. –Arthaśāstra, 1.6.11.4

<sup>273</sup> . Vāñijako vṛttikṣīṇaḥ prajñāśaucayukto vaidehakavyañjanaḥ. Sa vañikkarmapradīṣṭāyāṃ bhūmāvīti samānaṃ pūrveṇa. –Arthaśāstra, 1.6.11.5

<sup>274</sup> . Muṇḍo jaṭilo vā vṛttikāmastāpasavyañjanaḥ. –Arthaśāstra, 1.6.11.6

<sup>275</sup> . Ye janapade śūrāstyaktātmāno hastinaṃ vyālaṃ vā dravyahetoḥ pratiyodhayeyuste tīkṣṇaḥ. –Arthaśāstra, 1.7.12.2

<sup>276</sup> . Ye bandhuṣu niḥsnehāḥ krūrāścālasāśca te rasadāḥ. –Arthaśāstra, 1.7.12.3

<sup>277</sup> . Parivrājikā vṛttikāmā daridrā vidhavā pragalbhā brāhmaṇyantaḥpure kṛtasatkārā mahāmātrakulānyadhigacchet. –Arthaśāstra, 1.7.12.4

## 2.7. Bureaucrats and their moderation

A well systematic and established shape of bureaucracy seems in *Arthaśāstra*. Approximately twenty departments and their officers have described in this text.<sup>278</sup> The structure of bureaucracy and their duties and moderation are the major attraction of this text. Some regulations and necessary rules for the control over the bureaucracy is mentionable here.

*Kauṭilya* described forty ways of corruption money embezzlement.<sup>279</sup> If the embezzlement related information from any department comes to the king, he should quickly respond and work. King should examine all the officers and staff of that department for the embezzlement. If anyone among them tells a lie, he should be able to equal punishment like the corrupt officer.<sup>280</sup> King should announce in his state that any citizen can make direct complain about embezzlement by any superintendent of the department. It is the responsibility of the king to fulfill the financial damage of his citizen who affected by such kind of money embezzlement.<sup>281</sup> In the case of many complaints against the superintendent come into the attention of the king and that officer denies from all of them, the king should examine carefully. If anyone of the complaint found correct and his money embezzlement exposed, the king should charge him for all the complaints.<sup>282</sup>

Moderation and character-examination of superintendents needed regularly. *Cāṇakya* says that only the appointment of an eligible officer on a particular post is not sufficient but proper and regular observation over his character needed.<sup>283</sup> A peaceful horse gets biased and disorderly when he was attached with the chariot. As same as, a common and honest looking

<sup>278</sup> . Arthaśāstra, 2.29 (prakaraṇa) to 2.54(prakaraṇa).

<sup>279</sup> . Arthaśāstra, 2.24.8.12

<sup>280</sup> . Tatropayuktanidhāyakanibandhakapratigrāhakadāyakaadāpakamantrivaiyāvṛttyakarānekaikaśo'nuyūñjīta.  
Mithyāvāde caiśāṃ yuktasamo daṇḍaḥ. –Arthaśāstra, 2.24.8.13

<sup>281</sup> . Pracāre cāvaghoṣayet– amunā prakṛtenopahatāḥ prajñāpayantviti. Prajñāpayato yathopaghātaṃ dāpayet.  
–Arthaśāstra, 2.24.8.14

<sup>282</sup> . Anekeṣu cābhiyogeṣvapavyayamānaḥ sakṛdeva paroktaḥ sarvaṃ bhajeta. –Ibid.

<sup>283</sup> . Karmaṣu caiśāṃ nityaṃ parīkṣāṃ kārayet. –Arthaśāstra, 2.25.9.1

man can get biased and corrupt after getting the heavy beneficial responsibility.<sup>284</sup> That is why; their proper moderation and command is very necessary if the king the corruption-free bureaucracy.

*Cāṇakya* quoted the conception of previous scholars about the corrupt officers. According to them, if the expenditure of any officers seems much more than his earning, it means he is illegally snatching the money of the state but if his expenditure is favorable with his salary, neither he was embezzling the govt. Money nor bribing. However, it is not the correct conception. *Cāṇakya* countered this argument and said that a corrupt officer could skip the expenditure and snatch the money at the same time. It is not the correct conception, and only the salary and expenditure are not the accurate parameter. Officers are also very clever and intelligent. They can bypass the rules. In this situation, only the micro observation by the spies is one way to catch their corruption.<sup>285</sup>

Money laundering and embezzlement are very much possible in financial sectors. These departments are most sensitive to corruption. Financial department's corruption level is high than other departments. As the fish cannot, sucking the water in water, as same as money snatchers in the financial departments is not an easy task.<sup>286</sup> When the king found such type of corrupt officers, he should forcefully abduct all their money throw them in very low posts from their high posts, so that they cannot make any corruption in the future.<sup>287</sup>

King should appreciate the honest officers. An officer can get the promotion and respect if he completes his responsibility on given time and resources and does the welfare conducts by his intellect.<sup>288</sup> King let the officers stay on their higher position and post with respect,

<sup>284</sup> . Aśvasadharmāṇo hi manuṣyā nuyuktāḥ karmasu vikurvate. –Arthaśāstra, 2.25.9.1

<sup>285</sup> . Alpāyatiścenmahāvvyayo bhakṣayati. Viparyaye yathāyativyayaśca na bhakṣayati ityācāryāḥ  
apasarpeṇaivopalabhyate iti kauṭilyaḥ. –Arthaśāstra, 2.25.9.4

<sup>286</sup> . Matsyā yathāntaḥsalile caranto jñātuṃ na śakyāḥ salilaṃ pibantaḥ,  
Yuktāstathā kāryavidhau niyuktā jñātuṃ na śakyā dhanamādānāḥ. –Arthaśāstra, 2.25.9.16

<sup>287</sup> . Āsrāvayeccopacitān viparyasyecca karmasu,  
Yathā na bhakṣayantyarthaṃ bhakṣitaṃ nirvamanti vā. –Arthaśāstra, 2.25.9.18

<sup>288</sup> . Yaścaīṣāṃ yathādiṣṭamarthaṃ saviśeṣaṃ vā karoti sa sthānamānau labheta. –Arthaśāstra, 2.25.9.3

who is very honest and protectors of state resources. Such type of officers always tries to make the king happy by their judicialism.<sup>289</sup> *Cāṇakya* has no prejudice approach towards the bureaucracy. He is very strict against the corrupt officers, but he appreciates the honest at the same time. King should control the system like this.

### 2.8. *Daṇḍa*: Philosophy of Justice

The judicial system of *Arthaśāstra* is also another attraction. *Viṣṇugupta* seems very clear and aware of justice. He says that the king should establish a council of three judges (*dharmastha*) on four places in the judicial system. First place is the border of two villages (*janapadasandhi*), second place is the center of ten villages (*saṃgrahaṇa*), third place is the central location of four hundred villages (*droṇamukha*), fourth and last place is the center of eight hundred villages (*sthānīya*). Means every couple of village should be a local court for securing justice among people. It is the prime unit of judicial structure. Mentionable fact is that *Viṣṇugupta* appointed three judges at every level. Total four places of court and twelve judges have appointed for the judicial purpose in *Arthaśāstra*.<sup>290</sup> King should appoint at least three members of his central cabinet (ministers) for observation of the whole judicial process.<sup>291</sup>

Philosophy of justice described in *Arthaśāstra* is virtuous according to that contemporary time. King is the last protector of the entire social system; he is the operator of society; only he can save the ruining duties and responsibilities by justice. That is why; the king is the promoter and protector of all *Dharma* (duties and social order).<sup>292</sup> Only *Daṇḍa* (justice) protects the folk. So, a king never biased during justice. He should take the side of justice

<sup>289</sup> . Na bhakṣayanti te tvarthān nyāyato vardhayanti ca,

Nityādhikārāḥ kāryāste rājñāḥ priyahite ratāḥ.

–*Arthaśāstra*, 2.25.9.19

<sup>290</sup> . Dharmasthāstrayastrayo'mātyā janapadasandhisamgrahaṇadroṇamukhasthānīyeṣu vyāvahārikānarthān kuryuḥ.

–*Arthaśāstra*, 3.56.1.1

<sup>291</sup> . Samashastrī, R., “Kauṭīliya Arthaśāstra”, p. 297

<sup>292</sup> . Caturvarṇāśramasyāyaṃ lokasyācārarakṣaṇāt,

Naśyatāṃ sarvadharmāṇāṃ rājadharmā pravarttakāḥ.

–*Arthaśāstra*, 3.56.1.19

and secure it between his guilty son and enemy without any prejudice mentality.<sup>293</sup> Means the kingship is a very virtuous post from the judicial point of view. Being a judge, a man has to leave his all prejudice and biases.

If his relative comes as a criminal or guilty person, he should never take his side just because of his relation, but he should think about the highness of justice and level of crime. Many literary fables of great kings and rulers had established themselves as the virtuous judge. Only such kind of ruler can survive with positive fame among society. When the judicial system biased and used as a tool to protect guilty people, the philosophy of justice loses.

*Arthaśāstra* gives the right to the king or the government to construct the law for the sake of justice. Justice is higher than any holy text or a law book. A king should try to avoid such circumstances where the conflict between folk and law take place, but if two conceptions stand in fronts of each other like folk and law. Then the king should secure justice according to law.<sup>294</sup>

If the law book or the rules create any hindrance on the path of justice, the king has to secure justice and violate the rule of *Dharmaśāstra* without any nonplus. The governmental order in favor of justice gets prior than the law. This act of king can kill only an order of the law book, but it secures justice, which is more important than any book.<sup>295</sup> Thus, the king's order get priority against the law book for the protection of justice.

### 2.8.1. Execution of *Daṇḍa*

*Vākṣpāruṣya*<sup>296</sup> and *Daṇḍapāruṣya*<sup>297</sup> are the first distinctions of crimes, and every thinker had accepted these two. *Arthaśāstra* suggested financial penalties in most cases except some

<sup>293</sup> . Daṇḍo hi kevalo lokam paraṃ cemaṃ ca rakṣati,

Rājñā putre ca śatrau ca yathādoṣaṃ samaṃ dhṛtaḥ.

–Arthaśāstra, 3.56.1.23

<sup>294</sup> . Saṃsthayā dharmāśāstreṇa śāstraṃ vā vyavahārikam,

Yasminnatha viruddhyeta dharmeṇārthaṃ vinirṇayet.

–Arthaśāstra, 3.56.1.25

<sup>295</sup> . Śāstraṃ vipratipadyeta dharmanyāyena kenacit,

Nyāyastatra pramāṇaṃ syāttatra pāṭho hi naśyati

–Arthaśāstra, 3.56.1.26

<sup>296</sup> . Vākṣpāruṣyamupavādaḥ kutsanamabhibhartsanamiti.

–Arthaśāstra, 3.75.18.1

<sup>297</sup> . Daṇḍapāruṣyaṃ sparśanamavagūrṇaṃ prahatamiti.

–Arthaśāstra, 3.76.19.1

of them. Committing any crime against *Brāhmaṇa* by a *Śūdra* was the serious offense.<sup>298</sup> *Cāṇakya* told the four types of *Daṇḍa*: beating at six times by the wooden rod, seven-time lashing, hanging upside down by tie the hand and feet, feeding the salty water in the nose of the victim.<sup>299</sup> Some other strict physical punishments described for heinous crimes. Physical and death punishment for *Brāhmaṇa* prohibited in *Arthaśāstra*, but the mark, according to crime, should cauterized on his forehead. As often as he commits the crime, the mark should be cauterized so many times.<sup>300</sup> There are separate chapters in *Arthaśāstra* related to heinous crimes, and every crime had strict and cruel punishing. *Kauṭilya* made this name meaningful by devious punishments.

The execution of punishment according to the *varṇa* position. It follows the system of Manu. An interesting fact is that the king has to check the whole process of trial and properly consult with his judicial councils, and he applies the punishment on the criminal. If he punishes an innocent man for any crime, the common citizen should punish the king. People should collect thirty times more penalty from the king in such a case where he charged the particular amount of money as punishment.<sup>301</sup>

It is a brief description of the political principles of *Arthaśāstra*. The war-affair is a huge and deep discussion in this text. Many remedies for the protection of kingship and kingdom had described by *Cāṇakya*. If it fixed the chronological order according to the whole of the discussion, the location of *Arthaśāstra* takes place just after the *Manusmṛti*. When the *Yājñavalkyasmṛti* came into existence, the writer had been introduced with these two texts. When he declared the superiority of *Dharmaśāstra* against the *Arthaśāstra*, this conception gets a complete and correct place that *Arthaśāstra* had created after *Manusmṛti* but very

<sup>298</sup> . Śūdro yenāṅgena brāhmaṇamabhihanyāt tadasya chedayet. –Arthaśāstra, 3.76.19.7

<sup>299</sup> . Vyāvahārikam karmacatuṣkam– ṣaḍ daṇḍāḥ, sapta kaśāḥ, dvāvupari nibandhau, udakanālikā ca. –Arthaśāstra, 4.73.8.11

<sup>300</sup> . Sarvāparādheṣvapīdanīyo brāhmaṇaḥ. Tasyābhiśastānko lalāṭe syādvvyavahārapatanāya. –Arthaśāstra, 4.83.8.16

<sup>301</sup> . Adaṇḍyadaṇḍane rājño daṇḍastrimśadguṇo'mbhasi, Varuṇāya pradātavyo brāhmaṇebhyastataḥ param. –Arthaśāstra, 4.88.13.26

earlier than other texts like *Yājñavalkyasmṛti*, *Nāradaśmṛti*, or the tradition of *Nītiśāstra*. The purpose of this text was not the achievement of any divine aim but making the largest and well-systematic empire from the Himalayan region to southern seacoast. This text provided all the systems, machinery, and tools for a healthy and corruption-free government. It is an applied political text which has a clear vision, and that was to establish a peaceful nation and society. It is the first and last available text in the tradition of *Arthaśāstra*. Though *Kauṭilya* quoted many contemporary scholars and critiques, most of them are still disappeared of scholars. The literary and political contribution of *Kauṭilya* needs no particular description. It is only the representative text from Ancient history, which can show us the path of success by its great political principles.

*Arthaśāstra* created the base for later *Nītiśāstra* literature. After this text, political debate, statecraft, diplomatic affairs, nature of government and kingship, etc. got a separate identity. This text gave the concept of the unified largest state by being the ‘*Cakravartin*’ emperor. Unfortunately, some kings in history who got the honor of “*Cakravartin Samrāt*.” This text fixed the parameter of such a possibility. *Arthaśāstra* focused on unfortunately real world by avoiding high spiritual goals of kingship.

### 3. Political Principles of *Nītiśāstra*

The literal meaning of the word ‘*Nīti*’ is to carry forward something<sup>302</sup> when the word ‘*Śāstra*’ get added after ‘*Nīti*,’ it means a particular school of knowledge, who carries forward the tradition of polity, policy, diplomacy, and all aspects of state and its functioning. *Nītiśāstra* has a separate identity and tradition. There is huge chain of texts and theories of this school of knowledge, but mainstream scholars have often avoided it, or they included it under the *Dharmaśāstra* at the end. It is true that these texts and scholars separately created this tradition after *Dharmaśāstra* and *Arthaśāstra*, but some famous scholars and thinkers had been recognized since the dawn of polity. *Śukrācārya*, *Bṛhaspati*, etc. scholars got cited in various texts. Even *Arthaśāstra* starts with the chanting of these both scholars.<sup>303</sup>

<sup>302</sup> . Apte, Vaman Shivarama, Sanskrit-Hindi-Kosha, p. 550.

<sup>303</sup> . Oṃ namaḥ śukrabṛhaspatibhyāṃ.

—Arthaśāstra, 1.1

*Mahābhārata* quoted *Uśanā* (*Śukrācārya*) in many places. Other many scholars and texts referred to these political thinkers with respect and indicated towards the tradition of *Nītiśāstra*. P.V. Kane gave a list of texts related to the tradition of *Nītiśāstra*. The texts and writers are as follow<sup>304</sup>:

Sr.	Text name	Author & Detail	Sr.	Text name	Author or detail
1.	Nītikamalākara	Kamalākara	2.	Nītikalpataru	Kṣemendra
3.	Nītigarbhitāśāstra	Lakṣmīpati	4.	Nīticintāmaṇi	Vācaspati miśra
5.	Nītidīpikā/nītiprakāśa	Kulamuni	6.	Nītiprakāśikā	Vaiśampāyana
7.	Nītipradīpa	Vetālabhaṭṭa	8.	Nītibhājana bhājana	(Dedicated to Bhoja)
9.	Nītimañjarī	Dyādvivedī	10.	Nītimañjarī	Śambhurāja
11	Nītimayūkha	Nīlakaṇṭha	12.	Nītimālā	Nārāyaṇa
13	Nītiratna	(a tribute to Vararuci)	14.	Nītiratnākara	Kṛṣṇavṛhatpaṇḍitamahāpātra
15	Rājānītiratnākara	(unknown writer)	16.	Nītilatā	Kṣemendra
17	Nītivākyāmr̥ta	Somadevasūri	18.	Nītilāsa	Brajarājaśukla
19	Nītiviveka	Karuṇāśaṅkara	20.	Nītiśāstrasamuccaya or Nītisamuccaya or Nītisāra	(tribute to Ghaṭakarpara)
21	Nītisāra	(a tribute to Śukrācārya)	22.	Nītisārasaṁgraha	Madhusūdana
23	Nītirājanaprakāśa	Yayanārāyaṇa Tarkapañcāna	24.	Nītivṛṣotsarga	Anantabhaṭṭa

It is mentionable that this tradition of polity had no lingual or religious boundary. Many texts had composed by Jain, Buddhist, and other scholars. All had their criteria, but the wide canvas of *Nītiśāstra* assimilated various areas, but polity was common in all texts. Selected texts of this tradition and their polity and philosophy will be discussed here.

<sup>304</sup> . History of Dharmashastra (Hindi version), Vol. 1, p. 575



### 3.1. Political Principles of *Viduranīti*

Composition of eight chapters of *Udyoga parva* of *Mahābhārata* separately known as the '*Viduranīti*.'<sup>305</sup> *Vidura* was the brother of *Dhṛtarāṣṭra* and *Pāṇḍu*. He was brilliant, honest, and a practical character of *Mahābhārata*. *Vidura* was the most eligible person for the throne. *Dhṛtarāṣṭra* was blind and unworthy to be the king as per the eligibility criteria of kingship. *Pāṇḍu* was the youngest brother among the three. *Vidura* was the very eligible candidate just after *Dhṛtarāṣṭra* by his education, political, diplomatic and other qualities and he could deal with the responsibility of kingship, but he was *Pāraśava* by birth and only because of this, he deprived of the throne while being fit for it by qualities.<sup>306</sup> *Pāraśava* was the category of those breeds of human according to *Dharmaśāstra*, who were originated from *Brāhmaṇa* father and *Śūdrā* mother.<sup>307</sup> *Vidura* was the son of a *Brāhmaṇa* father. He educated with both brothers. He was much intelligent among his brothers. He was also very loyal for *Kuru* dynasty. He always favored the truth. When *Dhṛtarāṣṭra* got very upset by the division of dynasty between *Kaurava* and *Pāṇḍava*, he called *Vidura* and asked him to show the path of righteousness. These eight chapters known as '*Prajāgara Parva*' because of the nature of the debate. The first chapter is dedicated to the identification of various human personalities. The characteristics of an idiot and intelligent person, welfare sermons presented in a bunch of numbers from one to ten, and some of the political debates. Exercisable and non-exercisable actions have discussed in the second chapter. The third chapter is containing many fables related to *Dharma* and *Adharma* etc. The fourth chapter has an interesting discussion about families and noble families. The fifth chapter described the seventeen types of idiots and other *Nīti* related sermons. The sixth chapter described the respect of old people, an inept person for hospitality, salable and non-salable stuff, and some other political discussions. The seventh chapter has the questions of *Dhṛtarāṣṭra*, the reproach of

<sup>305</sup> . Mahābhārata, 5.33-40

<sup>306</sup> . Dhṛtarāṣṭrastvacakṣuṣdvād rājyaṃ na prapadyat,

Pāraśavatvād viduro rājā pāṇḍurvabhūva ha.

—Mahābhārata, 1.108.25

<sup>307</sup> . Brāhmaṇādvaiśyakanyāyāmambaṣṭho nāma jāyate,

Niṣādaḥ śūdrakanyāyāṃ yaḥ pāraśava ucyaate.

—Manusmṛti, 10.8

inconsequential matters, dear and unpleasant things, analysis of decline and growth; avoid the company of wretched people, and some diplomatic discussion. The last chapter describes the seven flaws of students, duties of all varṇa, etc.

*Viduranīti* is the collection of some drops from the ocean of *Mahābhārata*. Therefore, it does not contain any political organization or system, but it has instrumental ethics and virtues for the polity. The king and his staff should know about the variety of people. It is a psychological discussion where *Vidura* describes various psychological personalities. An awaked king can easily identify the people if he knows personalities. For example, identifying the *Paṇḍita*, it is said, “An intelligent man does not stop the work after starting with determination, he never wastes time, and he has full control on his conducts.”<sup>308</sup> An idiot man always avoid his work and try to conduct other’s work, he behaves untruthfully with his friend, and such type of idiot man is the ‘*Mūrkhā*’ man.<sup>309</sup> *Vidura* appreciates the intellect, instead of other strength. The power of intellect is more than any weapon. An arrow can kill a man, or it could fail to kill anyone, but an intelligent man can destroy the whole state if he uses his mind for it.<sup>310</sup>

*Vidura* suggests the king hide his planning and policies. He should be very careful about the secrecy because poison can kill a man who eats it, the weapon also can kill a man at a time, but the revealed secrecy of the state can destroy the whole nation. It can help the enemy to attack and capture the entire state.<sup>311</sup> King should mind that only the dutiful (religion or good conduct) is the way of welfare, only the forgiveness is the best path of peace, only the

<sup>308</sup> . Niścītya yaḥ prakramate nāntarvasati karmaṇaḥ,

Avandhyakālo vaśyātmā sa vai paṇḍita ucyaṭe.

–Viduranīti, 1.29

<sup>309</sup> . Svamarthaṃ yaḥ parityajya parārthamanuṣṭhāti,

Mīthyā carati mitrārthe yaśca mūḍhaḥ sa ucyaṭe.

–Viduranīti, 1.36

<sup>310</sup> . Ekaṃ hanyāna vā hanyādiṣurmukto dhanuṣmatā,

Buddhirbuddhimatotsṛṣṭā hanyād rāṣṭraṃ sarājakam.

–Viduranīti, 1.48

<sup>311</sup> . Ekaṃ viṣaraso hanti śastreṇaikaśca vadhyate,

Sarāṣṭraṃ saprajaṃ hanti rājānaṃ mantraviplavaḥ.

–Viduranīti, 1.50

education is complete satisfaction, and only the non-violence is the happiest way (of governing the state).<sup>312</sup>

Bunch of good conducts and sermons have tied in numbers from one to ten in *Viduranīti*, i.e., ten types of people cannot recognize their duties or dharma; intoxicated with alcohol, uncautioned, mad, tired, angry, hungry, reckling, greedy, scared and prurient.<sup>313</sup>

*Vidura* suggests the king, not to apply heavy taxes on the subjects. He should take the revenue and taxes like the flower bee. As the flower bee sucks the extracts with very softly and never harm the flower, which is the source of extracts. He protects the flower from his rough touching and snatches the extracts with full careless. A king should follow the flower bee when he collects the money and taxes from his subject. He should take only his part and not grab all the money. He should never torture the citizen by applying the heavy taxes, but he should protect his subject from such kind of situations.<sup>314</sup>

*Vidura* sermons the king by very simple and folk parables. For example, *Vidura* described the various creatures and their technique of observation. As cow observes the thing by their smell, *Brāhmaṇa* observes the thing by the vision of *Vedas*; a king observes his subjects through the spies, and common human being observes the world by temporal eyes.<sup>315</sup> Could protect the cattle, ministers are the protector of the king, and nearest relatives are the protector of women and *Brāhmaṇa* are the protector of *Vedas*.<sup>316</sup>

<sup>312</sup> . Eko dharmāḥ paraṃ śreyāḥ kṣamaikā śāntiruttamā,  
Vidyāikā paramā ṛptirahiṃsaikā sukhāvahā.

–Viduranīti, 1.57

<sup>313</sup> . Daśa dharmāṃ na jānanti dhṛtarāṣṭra! nibodha tān,  
Mattāḥ pramattāḥ unmattāḥ śrāntāḥ kruddho bubhukṣitāḥ.  
Tvaramāṇāśca lubdhaśca bhītaḥ kāmī ca te daśa,

–Viduranīti, 1.106-107

<sup>314</sup> . Yathā madhu samādatte rakṣaṇaṃ puṣpāṇi śaṭpadaḥ,  
Tadvadarthānmanuṣyebhya ādadhādavihiṃsayā.

–Viduranīti, 2.17

<sup>315</sup> . Gandhena gāvaḥ paśyanti vedaiḥ paśyanti brāhmaṇāḥ,  
Cāraiḥ paśyanti rājānaścaksurbhyāmitare janāḥ.

–Viduranīti, 2.34

<sup>316</sup> . Parjanyaṅāthāḥ paśavo rājāno mantribāndhavāḥ,  
Patayo bāndhavāḥ strīṅāṃ brāhmaṇā vedabāndhavāḥ.

–Viduranīti, 2.38

Very famous verse of *Gītā* says that a human being has only the control on his action and he cannot decide the result. Therefore, he should not claim himself the cause of the result.<sup>317</sup> However, *Vidura* says that a man should not go blindly in any action without assuming the result. He should deeply and completely think about his strength and capacity before starting the work, will this work be beneficial for me or not, how much it would be harmful to me and will any positive result come or not; all these aspects should be well analyzed before starting any work or project.<sup>318</sup>

The parallel relative or the directly connected factors can know exactly about the next one. A *Brāhmaṇa* can know (the sacrifice of) the other *Brāhmaṇa*, the husband knows about his wife, the king knows about his ministers, and the king knows (dignity and respect of) other kings.<sup>319</sup>

*Vidura* describes the several flaws of students, and these are; laziness, alcoholic, endearment, fickle, unnecessary talker, time waster, imperiousness, inertness, and greediness. If any student suffering from these flaws or any one of these diseases has been capturing him, he cannot achieve real education.<sup>320</sup> Searcher of happiness can never find the education, and an education-desired person cannot live in a peaceful atmosphere (education is a renunciative effort). Seeker of happiness leaves the education, and a real student leaves the pleasure.<sup>321</sup>

*Vidura* gave invaluable suggestions to not only *Dhṛtarāṣṭra* but also every person who needed his help. *Mahābhārata* would have incomplete if *Vidura* did not appear in the story.

<sup>317</sup> . Karmaṇyevādhikāraṣṭe mā phaleṣu kadācana,

Mā karmaphalaheturbhūrmā te saṅgo'stvakarmaṇi.

–Śrīmadbhagadgītā, 2.47

<sup>318</sup> . Kinnu me syādidamaṁ kṛtvā kinnu me syādakurvataḥ,

Iti karmāṇi sañcintya kuryād vā puruṣo na vā.

–Viduranīti, 2.19

<sup>319</sup> . Brāhmaṇamaṁ brāhmaṇo veda bhartā veda striyamaṁ tathā,

Amātyamaṁ nṛpatirveda rājā rājānameva ca.

–Viduranīti, 6.27

<sup>320</sup> . Ālasyamaṁ madamohau ca cāpalam goṣṭhireva ca,

Stabdhatā cābhimānitvamaṁ tathā tyāgitvameva ca,

Ete vai saptadoṣāḥ syuḥ sadā vidyārthināmaṁ matāḥ.

–Viduranīti, 8.5

<sup>321</sup> . Sukhārthinaḥ kuto vidyā nāsti vidyārthinaḥ sukham,

Sukhārthī vā tyajet vidyāmaṁ vidyārthī vā tyajet sukham.

–Viduranīti, 8.6

He always took the side of justice and spoke only the truth. That is why; all his conversations with *Dhṛtarāṣṭra* in Udyoga Parva got the separate identity as ‘*Viduranīti*.’ He always obeyed his *varṇadharmā* and never revolted from his position and dignity. Though he was the *Pāraśava* and his social position was at the bottom in front of *Pāṇḍava* and *Kaurava*, but both parties never avoided *Vidura*, and they gave him respect like their guardian. The hero of *Mahābhārata*, ‘*Śrī Kṛṣṇa*’ went to the home of *Vidura* very first, when he went to the court of *Kaurava* as a peace-ambassador. It was the importance of *Vidura* in *Mahābhārata*.

### 3.2. Political Principles of *Nītiprakāśikā*

“Expounder of polity”<sup>322</sup> known as the creation of the great *Ṛṣi Vaiśampāyana* by its inner sources. Three important informations related to this text reveals itself. First, this text was the sermons of *Ṛṣi Vaiśampāyana*. Second fact, the orator of this text was the pupil of the narrator of *Mahābhārata*, the *Veda Vyāsa*, and third is that this text is later creation of *Mahābhārata* but for the *Janamejaya*, son of *Parīkṣita*.<sup>323</sup> This text narrated in *Takṣaśilā*,<sup>324</sup> and this region allotted for *Parīkṣita*. *Vaiśampāyana*’s name connects with the *Yajurveda*, and the sub-Veda of *Yajurveda* is the *Dhanurveda*.<sup>325</sup> From this relation, it is easy to say that *Vaiśampāyana* had created *Nītiprakāśikā*.

The whole text has eight chapters, and the core topic of battle science. The last chapter is dedicated to the polity. *Vaiśampāyana* has taken the path of *Manu* during the description of the polity. It is the supplementary text of *Dhanurveda*, and the last hundred *Śloka*s situated

<sup>322</sup> . Oppert, Gustav, “*Nītiprakāśikā*”, Introduction, p. 1

<sup>323</sup> . *Nītiśāstramidaṃ proktaṃ mayā te janamejaya,*

*Samkṣepeṇa gamiṣyāmi yatra vyāso gururmama.*

*Vaiśampāyana ityuktva tatraiva sa jagāma ha,*

*Parīkṣito’pi mumude sunītyā pālayan prajāḥ.*

–*Nītiprakāśikā*, 8.99-100

<sup>324</sup> . *Śrīmattakṣaśilāyāṃ tu sūpaviṣṭaṃ varāsane,*

*Janamejayabhūpālaṃ draṣṭukāmo mahātapāḥ.*

–*Nītiprakāśikā*, 1.2

<sup>325</sup> . *Rgyajuh sāma cātharvā vedā āyurdhanuḥ kramāt,*

*Gāndharvaścaiva tantrāṇi upavedāḥ prakīrtitāḥ.*

–*Śukranīti*, 4.3.27

in the eighth chapter explains the polity and determines the theories. The question is when it had the influence of *Manusmṛti* and connected with *Dhanurveda*? why it has counted under the tradition of *Nītiśāstra*? The study observes the entire chain of *Nītiśāstra*, it reflects one core principle, and that is battle. Philosophy of battle, defeating the neighbor state and snatch all the wealth had been the first natural law by ancient civilizations. Battle had connected with the survival of clans. When the human being established political institutions that carry this compulsory nature in proper systematic form. *Maṇḍala* and *Yoni* theory related to battle and battle was the dominative source of gaining power, and it used to prove the sovereignty. *Arthaśāstra* widely described warfare. This philosophy created some texts, centralized only on war ethics and science. *Nītiprakāśikā* is one of the links of that chain. *Kāmandakī* also followed this tradition. War seems the compulsory act for the kings. Maybe that contemporary time, thinkers and scholars felt the lack of some text, which could be able to describe all the weapons and other equipment of battle. It is very much possible that this requirement generated some texts like *Nītiprakāśikā* and *Nītisāra*, which had a particular focus on only war, battle, and another thing, the polity is secondary here.

The first chapter of *Nītiprakāśikā* describes about the king *Janmejaya* and his father. The narrator of these texts went to *Takṣaśilā*, and the king welcomed him. The wide condition of declining society and appearance of *Kaliyuga* explained in this chapter. The second chapter has the introduction of *Dhanurveda*. The third chapter describes the origin of the sword. The fourth chapter describes the thirty-two war policies, types of weapons, which were thumping, on the enemy by throwing (*Muktāyudha*). The fifth chapter is dedicated to the *Amuktāyudha*, means those weapons, who were operated not by throwing but direct by human force like the *Vajra*, *Gadā*, etc. the sixth chapter starts with the construction of war array. Various types of barriers, wide rules, regulations, policies related to the army have taken place in the sixth chapter. The seventh chapter describes the techniques to improve the strength and number of soldiers in the army. Maintenance, management, and conducts of all wings of the army have described in the seventh chapter. The eighth chapter is containing with the "*Rājadharmā*."

The welfare of the citizens should be the prime doctrine for the king. He should leave all his own luxurious life and pleasure for the sake of the nation as a pregnant woman leaves all her favorite food and acts for the protection of womb and only take that food, healthy for the womb. The king should also be the same, and he should sacrifice all his luxury for his state.<sup>326</sup> Words and their meaning is the same as the saying of *Mahābhārata*.<sup>327</sup> *Nītiprakāśikā* believes on the divinity of the king the same as the *Manu* and declares the king as the representative of eight Gods.<sup>328</sup> The divine king is not able to disrespect even if he is a child.<sup>329</sup> It is also the copy of *Manu*. Whole *Rājadharmā* of *Nītiprakāśikā* is the emulation of *Manu*, *Yājñavalkya* and other *Dharmaśāstra* texts.

### 3.3. Political Principles of *Nītivākyāmṛta*

Jaina thinker *Somadevasūri* composed this text in 10<sup>th</sup> century A.D.<sup>330</sup> the king of *Kannauja*, *Mahendradeva* requested to *Somadeva* for creating an easy text who can include all necessary features of the polity.<sup>331</sup> *Somadeva* created this text for the king of *Kannauja* in 32 chapters (*samuddeśa*). It is pure political text and widely describes all features of the state and government. It is the compilation of all the political principles of the previous tradition. *Somadeva* defined the old political terms in the new style. As its time is 10<sup>th</sup> century A.D., so the view of social, political, and other spheres got changed very much from old. This era-based difference reflects in every step of discussion. For example, the religious orators started the sermons in the temples at the time of *Somadeva*. This social behavior seems in his quotation when he says that there are many orators of religion and conducts. They always

<sup>326</sup> . Yadā hi garbhīṇī hitvā svaṃ priyaṃ manase'nugaṃ,

Garbhasya hitamādhate tathā kuryātprajāhitam.

–*Nītiprakāśikā*, 8.2

<sup>327</sup> . Mahābhārata, 12.56.45

<sup>328</sup> . Aṣṭābhirlokapālānāṃ mātrābhirmirmito yataḥ,

Tasmādabhibhavedrājā sarvabhūtāni tejasā.

–*Nītiprakāśikā*, 8.3

<sup>329</sup> . Bālo'pi nāvamantavyo manuṣya iti bhūmipaḥ,

Mahatī devatā hyeṣā nararūpeṇa tiṣṭhati.

–*Nītiprakāśikā*, 8.5

<sup>330</sup> . Jayaswal, K.P., “Hindu Polity”, p. 8

<sup>331</sup> . Malaviya, Ramchandra, “*Nītivākyāmṛtam*”, p.7

sermon for others (but not applies it on their own) like the orators of religious fables in temples.<sup>332</sup> This text is full of modern examples and analogies.

Political theories and conceptions of *Nītivākyaṃṛta* has a clear approach and view. For example, King is not the divine composition of eight Gods, but he has the qualities of two Gods, *Indra*, and *Yama*. *Somadeva* defines the king as “gracious for the supporters like God *Indra* and devious for enemies as the *Yama* called the king.”<sup>333</sup> There are only two major duties of a king; first is repression of wicked and second is to the protection of good people.<sup>334</sup> The parameter of an ideal king, according to *Somadeva*, is to proper regulation of the subjects by the king. That king and kingdom are appreciable where the hybridism among religion, duties, and communities eradicated from the society.<sup>335</sup> That king is just a useless person who becomes unable to protect his subjects.<sup>336</sup> Definition of the kingdom is very simple. The study finds out the proper definition of the state in this text. According to *Somadeva*, “State of the king is a particular piece of land, where he conducts the protection and upbringing of his subject continuously.”<sup>337</sup> The word ‘*Ṙṥhvī*’ denotes the state or kingdom in this text. Generally, it had seen that the word ‘*Ṙṥhvī*’ often used for the whole land from ocean to *Himālaya*, but *Somadeva* used it only to denote a particular land of the king.<sup>338</sup> Definitions and conceptions are very simple and in formula style. Characteristics and duties of king delimited in only two forms.

Society of the state mainly divided into four varṇa. *Somadeva* also accepted the existence of these four communities, and he allotted the duties among all these communities like the previous thinkers. The common code of conducts was adaptable for all communities, including *Śūdra*. These are; generosity, avoid the untruth, avoid the extrinsic money, control

<sup>332</sup> . Sulabhaḥ khalu kathaka iva parasya dharmopadeṣe lokah.

–*Nītivākyaṃṛtam*, 1.28

<sup>333</sup> . Yo'nukūlapratikūlayorindrayamasthānaṃ sa rājā.

–*Nītivākyaṃṛtam*, 5.1

<sup>334</sup> . Rājño hi duṣṭanigrahaḥ śiṣṭaparipālanaṃ ca dharmah

–*Nītivākyaṃṛtam*, 5.2

<sup>335</sup> . Svadharmāsankarah prajānāṃ rājānaṃ trivargenopasamdhate.

–*Nītivākyaṃṛtam*, 7.20

<sup>336</sup> . Sa kimrājā yo na rakṣati prajāḥ

–*Nītivākyaṃṛtam*, 7.21

<sup>337</sup> . Rājñah ṣṥhvīpālanocitaṃ karma rājyam.

–*Nītivākyaṃṛtam*, 5.4

<sup>338</sup> . Varṇāśramavatī dhānya-hiranya-paśu-kupyavṣṭipradānaphalā ca ṣṥhvī.

–*Nītivākyaṃṛtam*, 5.5



over the desires, marriage within the same caste by prescribed manner and style, avoid the intercourse with prohibited females. These common codes of conduct expected to follow by every caste and communities.<sup>339</sup> As the *Brāhmaṇa* and *Cāṇḍāla* have equal right to see the sun, same as, every community and caste should equally follow the common codes of conduct.<sup>340</sup>

*Daṇḍa* had been helping as the major tool to maintain social conducts among the people. It had much importance since ancient time. *Somdeva* improved its importance and presented it as the pharmacology of a physician for the eradicating the light and serious diseases of the state.<sup>341</sup> King has presented as the physician, and *Daṇḍa* presented as the medicine. *Somadeva* cautioned the king not to apply this medicine for earning money only.

If there have no any disease to the patient, but the doctor tells some disease perform only for earning the money, he is not a good and mannered doctor. Same as, if the king applies *Daṇḍa* only for money collection from innocents, his kingship is just useless and unethical.<sup>342</sup> Intentionally and biased use of *Daṇḍa* can make the citizen insurgent, and they start hating the king.<sup>343</sup> *Dharmaśāstras* presented the *Daṇḍa* as a divine tool and gave the unlimited power to the king for its implementation, but *Nītiśāstra* has taken it as the practical remedy for the protection of the state and prohibited the king for biased implementation.

*Somadeva* allowed only *Dvija* for being the minister or advisor of the king, and it was the first qualification for being the minister. He must be a citizen of the same state where he wants to be a minister. Foreigners were unaccepted for the post of minister. He should be pure by the family and behavior. He should not have any addiction and adultery.

A minister should know all about the cases and trials (*vyavahāra*). He should have full command on *Nītiśāstra* and *Dharmaśāstra*. He should be very skilled in weapon operation,

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<sup>339</sup> . Ānṛśaṃsyamamṛṣābhāṣitvaṃ parasvanivṛtīḥ, icchā niyamaḥ pratilomāvivāho niṣiddhāsu ca strīṣu

brahmacaryamiti sarveṣāṃ samāno dharmah.

–Nītivākyaṃṛtam, 7.13

<sup>340</sup> . Ādityālokanavat dharmah khalu sarvasādhāraṇo viśeṣānuṣṭhāne tu niyamaḥ.

–Nītivākyaṃṛtam, 7.14

<sup>341</sup> . Cikitsāgama iva doṣaviśuddhiheturdaṇḍah

–Nītivākyaṃṛtam, 9.1

<sup>342</sup> . Sa kiṃ rājā vaidyo vā yaḥ svajīvanāya prajāsu doṣamanveṣayati.

–Nītivākyaṃṛtam, 9.4

<sup>343</sup> . Duṣpraṇīto hi daṇḍah kāmakrodhābhyaṃjānādvā sarvavidveṣaṃ karoti.

–Nītivākyaṃṛtam, 9.6

and his soul should be free from all kinds of deception.<sup>344</sup> Importance of Minister and priest increased higher than past and *Somadeva* presented the minister and priest as the mother and father of the king, respectively. King should not ignore both of them.<sup>345</sup>

Definition of *Rāṣṭra* given by *Somadeva* is very inclusive and unique. It is like the definition of *Śukranīti*. *Rāṣṭra* and *Deśa*, both had been defined in this text. (A particular piece of land where) The cattle and wild animals and other natural resources like river, mines, metals, fields, grasslands, etc. available in sufficient amount.<sup>346</sup>

*Deśa* gives the authority and revenue to its protector (king).<sup>347</sup> *Cāṇakya* described the establishment of *Janapada*. *Somadeva* also described it, but his social vision and view are a little bit different from tradition. It has often been seen that first two varṇa are getting more attention and respect than remaining two varṇas, but *Somadeva* is saying that king should try to avoid the dominance of *Kṣatriya* and *Brāhmaṇa* in establishing *Grāma* or *Janapada*. The dominance of *Kṣatriya* means they will always fight with each other.<sup>348</sup> *Brāhmaṇa* does not submit their revenue and other taxes easily even they try to escape from taxation till their death-position.<sup>349</sup> Means they both hardly pay the revenue to the king. Both *varṇa* are unproductive communities, and they depend on the state. Agriculture, industrial and commercial occupations prohibited for both of them. When the state applies the taxes, they both try to escape it. Therefore, *Somadeva* advised the king, not to establish the *Brāhmaṇa* or *Kṣatriya* dominating villages.

Condition of women in this text is similar to other previous tradition. *Somadeva* delimits the women in domestic affairs and provides them the independence only in four domestic works,

<sup>344</sup> . Brāhmaṇakṣatriyaviśāmekatamaṃ svadeśajamācārābhijanaviśuddhanavyasaninamavyabhicāriṇama-dhītākhilavyavahāratantramastrajñamaśeṣopadhiviśuddhaṃ ca mantriṇaṃ kurvīt. –Nītivākyāmṛtam, 10.5

<sup>345</sup> . Rājño hi mantripurohitau mātāpitarau, atastau na keṣucid vāñchiteṣu visūrayet, duḥkhyeddurvinayed vā. –Nītivākyāmṛtam, 11.2

<sup>346</sup> . Paśudhānyahiranyasampadā rājate śobhate iti rāṣṭram. –Nītivākyāmṛtam, 19.1

<sup>347</sup> . Bharturdaṇḍakośavṛddhiṃ dadātīti deśaḥ. –Nītivākyāmṛtam, 19.2

<sup>348</sup> . Kṣatriyaprāyā hi grāmāḥ svalpāsvapi bādḥāsu pratiyudhyante. –Nītivākyāmṛtam, 19.11

<sup>349</sup> . Mriyamāṇo'pi dvijaloko na khalu sāntvena siddhamapyarthaṃ prayacchati. –Nītivākyāmṛtam, 19.12

but this independence will be under the male householder. Nursing of the newborn child, daily works of family, physical adornment and sleeping with the husband are the four works where the homemaker can do by her mind and planning. A man should not let free the woman except these four works.<sup>350</sup> Other many definitions and conceptions have determined and described in *Nītivākyāmṛta* in formula style. These rules and regulations related to state and society reflect the condition of 10<sup>th</sup> century society.

*Nītiśāstra* seems more inclusive than other disciplines when it has seen the scholars from other religions. They are following the fundamental theories of society like their previous tradition, but their new examples and similarities show us the condition of society and literature. It seems at many places. The importance of the first two varṇa seems declined in 10<sup>th</sup> century A.D. because of their physical unproductivity. Occupation influences the nature of the community. Some times, it creates some practical problems.

That is why; *Somadeva* suggested the king to establish the village or *Janapada* and resettle the productive, agricultural, commercial, and artisans' communities. Such kinds of differences occurred in later political texts. Varṇa system, the fundamental structure of society has still been following, but some changes were also taking place as per the time and condition.

### 3.4. Political Principles of *Kāmandakīya Nītisāra*

According to Prof. Beni Prasad, "*Kāmandaka's Nītisāra has reckoned a Nīti work, but it is practically a summary of Kauṭalya.*"<sup>351</sup> This sentence is the core judgement of the text. It has known the few about the author and time of this text, but the inner sources of this text are reflecting many facts. First is that the praising of great political thinker *Cāṇakya* determines the time of *Kāmandakī* far later of *Arthaśāstra*. The second fact is that the author has a pure political intention about the work. He did not remember any God or divine power

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<sup>350</sup> . Apatyapoṣaṇe, gṛhakarmaṇi, śarīrasaṃskāre, śayanāvasare strīṇaṃ svātantryaṃ nānyatra.

–*Nītivākyāmṛtam*, 24.39

<sup>351</sup> . Prasad, Beni, "Theory of Government in Ancient India", p. 243.

in his first saying, but he praises the king.<sup>352</sup> It is not a sudden act, but there were many thinkers praised the king in their works. Just after the praising of the king, the author praised the great *Cāṇakya* in five *ślokas*.<sup>353</sup> These two facts establish that the writer has efficient and political spirit towards the nation, and he will take the stand only on the practical and political ground instead of any divinity. This spirit reflects in whole text and its discussion. It is true that this text blindly claims the emulation of *Arthaśāstra* and many scholars taken the *Kāmandaki* as the pupil of *Cāṇakya*, but the time and condition-based difference and the tradition-based distinction can be easily seen. Currently available *Nītisāra* of *Kāmandaki* divided into twenty sarga and thirty-six *prakaraṇa*.<sup>354</sup> Formation of the text follows the style of *Arthaśāstra*. Some political principles are mentionable here as per the requirement of the work.

As it has seen that this text starts with the praising of the king, the writer focused on the king in his whole work. The nature and dominance of the king taking a strong position until the time of this text. Therefore, the author paid much attention to the king and its virtuous status. As the immaculateness of the moon is the main reason for great ocean tides. The sea creates high whirlpools by the interaction with the moon, the same as the king is the root cause of growth and stability of the nation. His glory and dignity of the post shine like the moon among the ocean like the nation, citizens take the inspiration from their king.<sup>355</sup> *Kāmandaki* gave importance to the king among all the components of the government. There is a four-folded function of the ruler; earning the wealth in the proper and justified way from taxation etc., preservation of this wealth, improvement in the treasure through just fully manner and finally the expenditure of the wealth for the welfare of the state and for the protection of

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<sup>352</sup> . Yasya prabhāvād bhuvanam śāśvate pathi tiṣṭhati,

Devaḥ sa jayati śrīmān daṇḍadhāro mahīpatiḥ.

–Kāmandakīya Nītisāra, 1.1.1

<sup>353</sup> . Kāmandakīya Nītisāra, 1.1.2-6

<sup>354</sup> . Mitra, Rajendra Lala, “The Nītisāra by Kāmandaki.” The Asiatic Society, Kolkata, 2008

<sup>355</sup> . Rājāsya jagato heturṛddhervṛddhābhisammataḥ,

Nayanāndajanaṇaḥ śāsāṅka iva toyadheḥ.

–Kāmandakīya Nītisāra, 1.1.9

good people and norms.<sup>356</sup> Rest of the rules and regulations of the king are just the imitation of *Arthaśāstra*. Some differences and uniqueness in this text are mentionable. Combination of seven elements of state called the “*Prakṛti*” in *Arthaśāstra*. Śukranīti’s *Prakṛti* is the central cabinet containing the eight members. *Kāmandaki*’s *Prakṛti* has five elements.<sup>357</sup> *Kāmandaki* described the ‘*vyasana*’ (addictions) of all seven elements of the state. These addictions are very harmful to separately to every limb. The first and most precious limb of the state is the king. King is not only the supreme authority but also the supreme path shower of his all machinery and state. The harsh or abusive speech, apply the cruel punishing system on the citizens, wastage of government treasury for the own luxuries, uncontrolled drinking habit, adultery with untrusted women, and gambling are the addictions of the king.<sup>358</sup> A ruler has to avoid these addictions for the sake of himself and his state.

Another addiction related to the ministers and first rank officers. If they are lazy, arrogant, conceit, laxity, unnecessary haters, and the previously mentioned bad habits of the king are jointly the bad habits of ministers and officers.<sup>359</sup> These are their root cause of ill bureaucracy. The officers often seen to grab by these addictions. King or ruler must observe his ministers and officers, and if these symptoms of addiction occur in the system. He should quickly remove all these and maintain his cabinet and bureaucracy.

Third addiction is nothing but the addiction of the whole nation. Excess rain, drought, mice outbreak, massive bruks-attack on crops, excess of birds, heavy taxes and cruel punishments from the state, foreign invasion, terror of robbers, snatching the king’s favourite stuff from the citizens, pestilence, cattle’ massive death or diseases are the addictions of the nation.<sup>360</sup>

<sup>356</sup> . Nyāyenārjanamarthasya rakṣaṇaṃ varddhanaṃ tathā,

Satpātrapratipattiśca rājavṛttaṃ caturvidham.

–Kāmandakīya Nītisāra, 1.1.20

<sup>357</sup> . Amātyarāṣṭradurgāṇi kośo daṇḍaśca pañcamah,

Etāḥ prakṛtayastajjñairvijigīṣorudāhṛtāḥ.

–Kāmandakīya Nītisāra, 8.12.4

<sup>358</sup> . Vāgdaṇḍayośca pārūṣyamarthadrūṣaṇameva ca,

Pānaṃ strī mṛgayā dyūtaṃ vyaśanāni mahīpateḥ.

–Kāmandakīya Nītisāra, 14.22.61

<sup>359</sup> . Ālasyaṃ stabdhatā darpaḥ pramādo vairakāritā,

Iti pūrvopadiṣṭaṃ hi sacivavyasanaṃ smṛtam.

–Kāmandakīya Nītisāra, 14.22.62

<sup>360</sup> . Ativrṣṭiranāvṛṣṭiḥ śalabhāḥ mūṣakāḥ śukāḥ,

Anyone of these addictions can destroy the whole balance of the state. The state should take the precaution to avoid these nation level diseases.

Eight disasters are the natural while remaining five addictions are the fabricated disasters. The foreign invasion and terror of robbers happen due to the loose law and order. When the king or ruler becomes irresponsible towards his duties and gives the priorities to his luxuries, the hard taxation, cruel punishment, snatching of resources take place.

Damaged boundary and weapons, lack of weapons, lack of grasses for battle-animals, lack of fuel, and food have recognized as the fourth addiction of the fort.<sup>361</sup> Addiction to the treasury had considered as a big flaw. When the state-wealth get wasted in salary and other expenditure of the staff, faces the misappropriation of money, devoured (by guarding officers and staff), lack of proper preservation, stolen by thieves and untracking of dues; these conditions ruin the collection of public money.<sup>362</sup>

Next six *Ślokas* widely described the addictions of the military. These are the natural and unnatural corruptions. Natural corruptions take place when the climate gets change. Some precautions can make the casualty rate low, but these problems cannot be eradicated. All the fabricated problems can solved and eradicated if the ruler and his staff try to fix these problems with complete honesty and accountability.

A major portion of *Kāmandakīya Nītisāra* covers the military-related theories and principles, but these are some unique and mentionable political principles. *Kāmandakīya's Nītisāra* has a respectable place in the tradition of *Nītisāstra*. In spite of the imitation of *Arthaśāstra*, this text gives us some solid and new ideas related to the polity.

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Asatkaraśca daṇḍaśca paracakrāṇi taskarāḥ.

Rājānīkapriyotsargo marakavyādhipīdanam,

Paśūnām maraṇam rogo rāṣṭravayasanamucyate.

–Kāmandakīya Nītisāra, 14.22.63-64

<sup>361</sup> . Viśīrṇayantraprākāraparikhātvaśastratā,

Kṣīṇaghāsendhanannatvaṃ durgavyasanamucyate.

–Kāmandakīya Nītisāra, 14.22.65

<sup>362</sup> . Vyayīkṛtaḥ parikṣipto bhakṣito'saṅcīstathā,

Muṣīto dūrasaṃsthaśca kośavyasanamucyate.

–Kāmandakīya Nītisāra, 14.22.66

### 3.5. *Śukranīti*: The representative text of *Nītiśāstra*

This text is the actual identity of *Nītiśāstra*. Only this text represents all spheres of polity within this school of knowledge. Consideration of *Śukranīti* by modern scholars often avoided. This is purely political text, and it can be said the constitution of the monarchy. Importance of *Śukranīti* in ancient India's intellectual tradition has no need any description. The name of Śukrācārya has been taking place from *Ṛgveda* to modern Sanskrit literature. Wherever the politics got space, name of *Śukrācārya* remembered there by the scholars. *Mahābhārata* seems incomplete without the quotations of this great political thinker. The *Śloka* of *Śukranīti* had been taken in their actual forms directly in *Mahābhārata*.<sup>363</sup> There are many disputes attached with this text, i.e. the writer's ideology and his place in tradition, cause of exclusion of text from mainstream Sanskrit, time and structure of the text and the revolutionary provisions of *Śukranīti* needed the attention. It is a text full of political theories and applied form of polity, in spite of all these characteristics, this text often ignored.

#### 3.5.1. Author and Time of *Śukranīti*

This text is known by the name of its narrator. *Daityaguru*, *Kāvya*, *Uśanas*, *Bhārgava*, and *Kavi* are the other names of *Śukrācārya*.<sup>364</sup> The tradition says that he was the trendsetter of demons. When the demons requested him to construct a text for systematic polity and society, their sage created the *Śukranīti* for them. However, in the first chapter's discussion about the work about the origin of kingship at Vedic time, *Brāhmaṇa* texts told us that demons were winning all the battles against the *Aryan* Gods. When they studied their cause of defeat, they saw that demons were fighting under the leadership of the king. That is why; they have been winning. Then *Aryan* Gods requested to *Brahmā* for making the king. This story reflects that demons were most advance than of *Aryan* Gods. In this situation, it is very tough to believe that demons requested their teacher for making a political text as the *Aryan* was following. This fable created for the propagation only. Almost every contemporary thinker had accepted the actual position and importance of *Śukrācārya*.

<sup>363</sup> . Mahābhārata, 12.56.29. Mahābhārata, 12.57.3

<sup>364</sup> . Śukro daityaguruḥ kāvya uśanā bhārgavaḥ kaviḥ.

–Amarkoṣaḥ, 3.25

*Mahābhārata* told us that *Devas* appointed to *Bṛhaspati* as the chief priest of their sacrifice for victory over the *Dānavas* and demons appointed to sage *Śukrācārya* as their chief priest for conducting the sacrifice for victory over the *Devas*.<sup>365</sup> Later *Mahābhārata* literature projected of both the sages; *Bṛhaspati* and *Śukrācārya* as the trendsetters of *Deva* and *Dānava* respectively. *Kṛṣṇa* claims himself as the supreme poet *Uśanā* (*Śukrācārya*) during his sermon on the battleground of *Kurukṣetra*.<sup>366</sup> The study observes that wherever the political discussion took place in the past, the name of *Uśanā* and his school of knowledge got remembered by the scholars. Prof. Beni Prasad said, “If *Śukranīti* deserves particular notice if is because it represents the last summing up of Hindu political thought and because it introduces a few novel features of minor importance.”<sup>367</sup> However, the tradition of *Śukrācārya* has been coming since the Vedic period.<sup>368</sup> A whole chapter of *Mahābhārata* describes the origin and development of *Nītiśāstra*.<sup>369</sup>

The various spheres and topics of *Nītiśāstra* also got attention there. All the prescribed characteristics of *Nītiśāstra* given by *Mahābhārata* seems in *Śukranīti*. *Arthaśāstra* quoted several places to the *Śukrācārya* and his school of knowledge.<sup>370</sup>

Determining the time of *Śukranīti* is extremely difficult. All the quoted śloka in *Mahābhārata* referring the name of *Śukrācārya* have located in *Śukranīti* also, and they prove the antiquity of this text earlier than *Mahābhārata*. Name of *Śukrācārya* in Vedic literature and epic literature determine his time at early ancient but the inner sources of *Śukranīti* reflecting another fact.

<sup>365</sup> . Jigīṣayā tato devā vavrire'ngirasammunim,

Paurohityena yājyārthe kāvyaṃ tūśanasam pare.

–Mahābhārata, 1.76.6

<sup>366</sup> . Vṛṣṇīnām vāsudevo'smi pāṇḍavānām dhanañjayah,

Munīnāmapyahaṃ vyāsaḥ kavīnāmuśanā kaviḥ.

–Śrīmadbhagavadgītā, 10.37

<sup>367</sup> . Prasad, Beni, “Theory and Government in Ancient India”, p. 245.

<sup>368</sup> . Ṛgveda, 8.84.1-9. Ṛgveda, 9.87.1-9. Ṛgveda, 9.88.1-8. Ṛgveda, 9.89.1-7. Yajurveda, 13.52-58.

Yajurveda, 14.1-6. Yajurveda. 18.77

<sup>369</sup> . Mahābhārata, 12.59

<sup>370</sup> . Arthaśāstra, 1.2.6. Arthaśāstra, 2.7.15. Arthaśāstra, 10.6.1



The study finds the *Śreṇī* (occupation based associations but not caste) in this text.<sup>371</sup> Historically, this social order has been existed in Indian society from the time of *Gupta* dynasty to *Puṣyabhūti* dynasty.<sup>372</sup> *Śreṇī* had an important role and place at that time; even they were playing the role of judicial courts also. Mostly the trade and commercial *Śreṇī* dominated the society. Nevertheless, these occupation-based social associations became disappeared from society. Most probably, these occupation based communities turned from association to the caste. Time of *Śukranīti* intermits after Gupta dynasty but before *Harsha's Puṣyabhūti* or *Vardhan* dynasty.

The problem has not ended yet. The weapon science, type of weapons, the appearance of guns and cannons in *Śukranīti* made this question more disputed. Two major fire-weapons, their manufacturing, style, usage, and importance in the battle have widely described in *Śukranīti*. Suggesting about the royal palace, *Śukra* says that armored guards, artillery, and many soldiers should secure the royal palace.<sup>373</sup>

There are two types of firearms; gun and cannon.<sup>374</sup> Gun is a particular type of weapon. The barrel of a gun (iron tube) fixes on a wooden handle. The length of the barrel should be two and half-measured by hand. A point should fixed on the front upper side of the barrel for taking the target on the range. A particular place for putting the gunpowder in the barrel should fixed with an additional place for putting the long thin stick. This stick had used for tamping the gunpowder in the barrel.<sup>375</sup>

<sup>371</sup> . Vicāryyaṃ śreṇibhiḥ kāryyaṃ kulairyanna vicāritam,

    Gaṇaiśca śreṇyavijñātaṃ gaṇājñātaṃ niyuktakaiḥ.

    –*Śukranīti*, 4.5.31

<sup>372</sup> . Pandey, Shyamlal, “*Śukra kī Rājanīti*”, pp. 318-19

<sup>373</sup> . Yāmikaiḥ rakṣito nityaṃ nālikāstraiśca saṃyutaḥ,

    Subahudṛḍhagulmaśca sugavākṣapraṇālikaḥ.

    –*Śukranīti*, 1.239

<sup>374</sup> . Nālikam dvividham jñeyam bṛhatkṣudravibhedataḥ.

    –*Śukranīti*, 4.7.195

<sup>375</sup> . Tirryagūrdhvacchidramūlaṃ nālaṃ paścavitastikam,

    Mūlāgrayorlakṣyabheditilavinduyutaṃ sadā.

    Yantrāghātāgnikṛd grāvacūrṇadhṛkkaṇamūlakam,

    Sukāṣṭhopāṅgabudhnaśca madhyāṅgulavilāntaram.

    Svānte'gnicūrṇasandhāṭṭṛ śalākāsaṃyutaṃ dṛḍham,

Defining the cannon, *Śukranīti* says; a particular weapon, rotatable by a nib or spike for hit the target, fixed on the base; the wood should make the base of the weapon; portable by the cart called the cannon. The use of cannon in battle is a guarantee of victory.<sup>376</sup> The iron or other strong metals manufacture these two weapons and these weapons should preserved under regular scrubbing by skilled operators.<sup>377</sup> Wide and systematic technique of making the gunpowder, types of gunpowder by their used materials<sup>378</sup> have also described in this text.

These are the modern weapons, and their usages had started in medieval time of Indian history. Many scholars tried to explain these descriptions from their own biases and presumption and gently refused that these are actual cannons or guns. It is important to remember that *Śukranīti* is a constitution and free from miraculous words of aesthetics like *Lakṣaṇā* and *Vyañjanā*.

All the laws and rules have taken place in straight and straightforward language. Explaining these descriptions through any bias is just a useless effort. To summarized, it stated that currently available *Śukranīti* is the huge collection of rules, regulations, laws, and political theories from ancient time to the medieval period of history.

It has two ways of determining the time of *Śukranīti*. Either it can accept that this text had written in a medieval time when these weapons introduced in the battlegrounds of India, the writer gave it the name of great sage *Śukrācārya* for its fame or the *Śukranīti* should declare as the complete political tradition. It has many possibilities that Vedic *Śukrācārya* was existing, and he established the school of pure political knowledge.

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Laghunālikamapyetat pradhāryyaṃ pattisādibhiḥ. –*Śukranīti*, 4.7.196-198

<sup>376</sup> . Mūlakīlabhramāllakṣyasamasandhānabhāji yat,  
Bṛhannālikasaṃjñāṃ tat kāṣṭhabudhnavinirmitam,  
Pravāhyaṃ śakaṭādyastu suyuktaṃ vijayapradam. –*Śukranīti*, 4.7.200

<sup>377</sup> . Lohasāramayaṃ vāpi nālāstraṃ tvanyadhātujam,  
Nityasammārjanasvacchamastrapātibhirāvṛtam. –*Śukranīti*, 4.7.205

<sup>378</sup> . *Śukranīti*, 4.7.206-208

The pupils of Śukrācārya carried forward his tradition and collected it in a text by his name. Maybe this tradition of Śukra came in the medieval period of history, and new concepts had continuously been taking place according to time and condition of the society and nation. Pupils and followers of this tradition collected the political theories but gave it the name of their founder Śukrācārya.<sup>379</sup> Prof. K.P. Jayaswal also accepted the amplification in this text.<sup>380</sup>

### 3.5.2. Structure of Śukranīti

It has five chapters. The first chapter is dedicated to the introduction and importance of *Nītiśāstra* comparing another discipline. Rules, regulations, ethics, and duties of a king, construction of capital and royal palace have described in the first chapter. Second chapter's major discussion has focused on the royal prince, ministers, staff, officers, and some necessary governmental affairs.

The third chapter is a huge collection of common civil codes for common people as well as for the king. Duties of a responsible citizen, rules, and suggestions for family care, duties towards the community, marriage, rituals, and other social behavior based have determined in this chapter.

The fourth chapter has seven *prakaraṇa* (sub-parts). The distinction influenced by the seven elements of state theory. The first *prakaraṇa* of the fourth chapter is the "*Suhṛdādi lakṣaṇa prakaraṇa*," where the concept of friendship from individual to the nation has described.

The second *prakaraṇa* of the fourth chapter is "*Kośa Nirūpaṇa Prakaraṇa*." nature of treasury, taxation, revenue, ethics for collecting the tax and revenue, preservation of wealth and its justified usages have described in this *prakaraṇa*.

The third *prakaraṇa* of the fourth chapter is "*Rāṣṭra Prakaraṇa*." definition of a nation, social order, prime duties of all varṇa, 32 types of the discipline of knowledge (*Vidyā*) and 64 types of Arts have widely described in this *prakaraṇa*.

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<sup>379</sup> . Pandey, Shyamlal, "Śukra kī Rājanīti", pp. 306-307

<sup>380</sup> . Jayaswal, K.P. "Hindu Polity", p. 6.

The fourth *prakaraṇa* of the fourth chapter is “*Lokadharmā Nirūpaṇa Prakaraṇa.*” Women and *Śūdra* related rules, plantation around the cities and villages, statue manufacturing rules and techniques have described in the fourth *prakaraṇa*.

The fifth *prakaraṇa* of the fourth chapter is “*Rājadharmā Nirūpaṇa prakaraṇa,*” and it includes all judicial process, punishment, process and stages of the trial.

The sixth *prakaraṇa* is the smallest sub-part of the fourth chapter. Varieties of forts and fortification have taken place in this *prakaraṇa*.

Seventh and last *prakaraṇa* is “*Sainya Prakaraṇa.*” Military-related all rules, types of armies, style of battle, weapons, and war ethics, etc. have described in the last *prakaraṇa*.

Fifth chapter is dedicated to all bunch of remaining but necessary sayings (*Khila Nīti*). It covers all those ethics and policies, which left in previous chapters.

Chapter division has no dispute, but the number of verses is different in various places. Second *Śloka* of the first chapter saying that whole *Nītiśāstra* was summarized in one crore (*Śatalakṣa*) of *Śloka*,<sup>381</sup> but the total number of *Śloka* in *Nītisāra* have said to *Dvāviṃśatisatam* (twenty-two hundreds) at the end of the fourth chapter.<sup>382</sup> Currently available *Śukranīti* has total 2567 number of *Ślokas*.<sup>383</sup>

### 3.6. *Nītiśāstra* and other disciplines according to *Śukranīti*

*Śukranīti* presented the *Nītiśāstra* as complete and practical knowledge. He strongly says that all other disciplines have presented any one aspect of the practical world means they are unable to cover the whole of world in their criteria. Only the *Nītiśāstra* provides the brotherhood and guarantee of public welfare and social security because only the *Nītiśāstra* is one discipline to achieve all four supreme goals (*Puruṣārtahcatuṣṭaya*) of life.<sup>384</sup>

<sup>381</sup> . Pūrvadevairyathānyāyaṃ nītisāramuvāca tān,

Śatalakṣaślokaṃ nītisāstramathoktavān.

–*Śukranīti*, 1.2

<sup>382</sup> . Manvādyairādṛto yo'rthastadartho bhārgaveṇa vai,

Dvāviṃśatisatam ślokā nītisāre prakīrtitāḥ.

–*Śukranīti*, 4.7.423

<sup>383</sup> . Mishra, Jagadishchandra, “*Śukranītiḥ*”, Chaukhamba Surabharati Publication, Varanasi, 2009.

<sup>384</sup> . Kriyaikadeśabodhīni śāstrānyanyāni santi hi,

Sarvopajīvakam lokasthitikṛnnītisāstrakam,

Knowledge of words and their meaning no needs espezialized training, and people learn it naturally without taking help from a grammarian.<sup>385</sup> Newborn baby learns speaking and signs by the parents or family member but not directly by a grammarian.

Means the world can operate itself without grammar and difficulty may not occur. The same rule applies to philosophical schools like *Nyāya*, *Tarka*, and *Mīmāṃsā*. People can know about the materials described in various philosophical schools without proper study. All these materials, elements, and matters are around the human being, and the human has been using these things for its welfare since he started the systematic life. An uneducated man also knows about the air, soil, water, space, fir, etc. and he is well aware of their use. Same as every human being learn the procedures, techniques, and necessary life rituals without proper study of *Mīmāṃsā*.<sup>386</sup>

*Vedānta* philosophy describes the mortality of the physical body. It tells that the human body and even the completely physical world it has no permanence. All the physical elements will destroy one day. *Śukranīti* says asks *Vedantiks* experts that can a man not know about this concept without the study of *Vedānta*? Is it so tough that a common person cannot feel the mortality when he daily observes and feels it around him? Means these are not very special conceptions. An uneducated man daily observes the dying people, and he always feels that he is growing and one day he will die. He can feel the birth and death without training. All these referred philosophical disciplines are only establishing their schools and conceptions, and they have no direct use on practical ground.<sup>387</sup> The main problem is that only the followers of these disciplines can study this prescribed knowledge. A common person cannot

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Dharmārthakāmamūlaṃ hi smṛtaṃ mokṣapradam yataḥ. –Śukranīti, 1.4-5

<sup>385</sup> . Sunītikusālā nityaṃ prabhavanti ca bhūmipāḥ,  
Śabdārthānāṃ na kiṃ jñānaṃ vinā vyākaraṇādbhavet. –Śukranīti, 1.7

<sup>386</sup> . Prākṛtānāṃ padārthānāṃ nyāyatarkairvinā na kim,  
Vidhikriyāvyavasthānāṃ na kiṃ mīmāṃsayā vinā? –Śukranīti, 1.8

<sup>387</sup> . Dehādīnāṃ naśvaratvaṃ vedāntairna vinā hi kim,  
Svasyābhimatabodhīni śāstrāṇyetāni santi hi. –Śukranīti, 1.9

get excellence in these school mentioned above of knowledge. These have no benefit to the society or individual except the mental dalliance.<sup>388</sup>

*Śukranīti* targeted the philosophical aspect of grammar with mainstream philosophical disciplines like *Nyāya*, *Tarka*, (including *Vaiśeṣika*, *Sāṃkhya*, *Yoga*), *Vedānta* and *Mīmāṃsā* and compared these with the *Nītiśāstra*. All disciplines have their importance, but *Śukrācārya* favoured only that knowledge, who has a direct connection with folk, who is not only for self-enlightenment but also for the rest of the humanity and welfare of all creatures. Philosophical schools are accessible for their followers only, but *Nītiśāstra*'s prime principle is to make happy and safe the next one. It never means that *Śukrācārya* avoided above-mentioned criticized philosophical school of knowledge.

When he described the Arts and Educations in the third prakaraṇa of the fourth chapter, he separately gave the introduction and description of all these knowledge under the thirty-two *Vidyā*.<sup>389</sup> Purpose of criticizing the philosophies seems just for highlighting the importance of practical knowledge like *Nītiśāstra*.

*Nītiśāstra* is not only practical knowledge but also accessible for all beyond the caste, class, or community. A normal and less aware man can also understand the essence of *Nītiśāstra* without mental effort. It is an easy education but not a light-weighted. The deep political theories and diplomatic techniques have described in *Nītiśāstra* in very simple language. A ruler should always learn and practice this discipline because he can achieve fame by defeating his enemies with the help of this discipline in less effort.<sup>390</sup>

<sup>388</sup> . Tattanmatānugaiḥ sarvairvidhṛtāni janaiḥ sadā,

Buddhikausālametaddhi taiḥ kiṃ syād vyavahāriṇām.

–Śukranīti, 1.10

<sup>389</sup> . Mīmāṃsātarkasāmkhyāni vedānto yoga eva ca,

Itihāsāḥ purāṇāni smṛtayo nāstikaṃ matam.

Arthasāstraṃ kāmasāstraṃ tathā śilpamalaṅkṛtiḥ,

Kāvyaṇi deśabhāṣāvasaroktiryāvanam matam,

Deśādīdharmā dvātriṃśadetā vidyābhisamjñitāḥ.

–Śukranīti, 4.3.29-30

<sup>390</sup> . Ataḥ sadā nītiśāstramabhyasedyatnato nṛpaḥ,

Yadvijñānānṛpādyaśca śatrujillokaraṅjakāḥ.

–Śukranīti, 1.6

### 3.7. The social approach of Śukranīti

The atmosphere of society always changed. The society at the time of *Manu* was different. When the *Arthaśāstra* came into existence, that society was different from previous. *Śukranīti* shows us the condition of society passing, through the third phase of the polity.

The difference is natural and compulsory during this space of time. *Manu* seems very strict on birth-based superiority, while *Arthaśāstra* put them on supreme position but applied some conditions of superiority also. Finally, *Śukranīti* removed the concept of birth-based superiority and said, “No one is *Brāhmaṇa*, *Kṣatriya*, *Vaiśya*, *Śūdra* or *Mleccha* by birth. This distinction takes place after his birth when he adopts any occupation.<sup>391</sup>

*Śukranīti* avoids the concept of the origin of four varṇa from the various parts of *Parama Puruṣa*, and he says that all species have originated from *Brahmā*, but it can't be said that all are *Brāhmaṇa* because the superiority can neither be decided by the *varṇa* nor by the creator.<sup>392</sup> This spirit seems in next three śloka where *Śukrācārya* gave the priority the quality and occupation of the man regarding the determination of his varṇa position.

*Śukranīti* applies this principle not only on society but also in the governmental structure. It gives the priority to the character, quality, and conduct during the determination of eligibility criteria of officers and servants. King should believe the servant after proper examination. His family or caste is not the parameter of honesty and faith, but his quality and character should be the base of his eligibility.<sup>393</sup> A man is appreciable only because of his character, actions, quality, and great human values instead of his family or caste because the excellence or merit do not come from family or caste.<sup>394</sup>

<sup>391</sup> . Na jātyā brāhmaṇāścātra kṣatriyo vaiśya eva na,

Na śūdro na ca vai mleccho bheditā guṇakarmabhiḥ.

–Śukranīti, 1.38

<sup>392</sup> . Brāhmaṇastu samutpannāḥ sarve te kiṃ nu brāhmaṇāḥ?

Na varṇato na janakād brahmatejaḥ prapadyate.

–Śukranīti, 1.3

<sup>393</sup> . Bhṛtyaṃ parīkṣayennityaṃ viśvāsyam viśvaset tadā,

Naiva jātima ca kulaṃ kevalaṃ lakṣayedapi.

–Śukranīti, 2.54

<sup>394</sup> . Karmaśīlaguṇāḥ pūjyāstathā jātikule na hi,

Na jātyā na kulenaiva śreṣṭhatvaṃ pratipadyate.

–Śukranīti, 2.55

*Śukranīti* follows the *Varṇa* system, and the next chapter will describe that he also reserves some governmental responsibilities for particular castes or communities. But the parameter of merit is not the birth as it's been seen in *Smṛti* or some places in *Arthaśāstra* also. *Śukrācārya* also accepted the caste at the time of marriage and meal.<sup>395</sup>

*Śukranīti* advises the king to protect all his subjects from every caste and class. Even the lowest caste people can get the shelter and protection from the state.<sup>396</sup> The 64 Arts cited in *Śukranīti* are the 64 types of occupations like dance, sing, painting, lather work, cleaning, washing, cloth manufacturing etc. Protection of every occupation and their holding communities was the primary duty of the king.

### **3.8. Similarities among *Dharmaśāstra*, *Arthaśāstra*, and *Nītiśāstra***

After the study of all three disciplines, the similarities and differences seem very clear. First similarity is that every discipline claims their approach towards Vedas and the great philosophy of *Vedas*. *Smṛti* literature and specially *Manusmṛti* announced that its work is nothing but the exploration of Vedic philosophy and ideology. It is a different matter that these texts created some rules and regulation against the great Vedic humanitarian approach. All these three disciplines claim their antiquity from very past and determined their unbroken tradition of thinkers. If one sees from the social point of view, all disciplines accepted the *Varṇa*-system and superiority of *Dvija*.

Approach for women seems almost same in every discipline. Women seem to depend on their masters and owners. The political structure described by every *Śāstra* seems no difference. King is the supreme authority in every discipline. His supreme virtue was the welfare of the subject, and all thinkers accepted it. Means there seems no much difference at first sight.

It does not mean that there are no differences between these disciplines. The micro-observation, nature of various rules, and the executive aspects of these disciplines have many differences.

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<sup>395</sup> . Vivāhe bhojane nityaṃ kulajātivivecanam.

–*Śukranīti*, 2.56

<sup>396</sup> . *Śukranīti*, 2.194-203



### 3.9. Political Differences among *Dharmaśāstra*, *Arthaśāstra*, and *Nītiśāstra*

*Dharmaśāstra* approved and accepted the *Kṣatriya* only as of the ruler community. *Manusmṛti* strictly opposes and neglects the state, operated by the *Śūdra* king. *Brāhmaṇa* community got the supreme status in this literature, not only the society but also in politics. King was king of all his state, but *Brāhmaṇas* was greater than king. This community was free from taxation, agriculture, trade, and all physical duties and works. Most of the posts reserved only for *Brāhmaṇa* due to their intellectual supremacy, especially the post of *Purohita*, *Pradhāna*, and *Paṇḍita*. Even the *Śukranīti* advised the king to appoint the all *Brāhmaṇa* ministers in his central cabinet. King could not give the death sentence to any *Brāhmaṇa*. *Dharmaśāstra* blindly protected this community and established it on the supreme position at every sphere of governance, society, and politics.

*Arthaśāstra* favoured the supremacy of *Brāhmaṇa*, but it was conditional and selective. *Cāṇakya* had given priority to the state and its revenue more than all remaining priorities. That is why; it been seen in many financial penalties and other punishments even for *Brāhmaṇa* in *Arthaśāstra*. *Kauṭilya* favored the royal and elite birth of a king, but he did not close the hope for lower caste talented people.

*Nītiśāstra*'s view and conception do not seem fixed, but it is temporal. *Śukranīti* avoided the birth-based supremacy at many places but advised the king to appoint all ministers from the *Brāhmaṇa* community. Maybe its conception of *Brāhmaṇa* was not based on birth position. Caste or community of King seems not considerable in *Nītiśāstra*. The lowest caste king can be the excellent king if he follows the *Nītiśāstra*. Means any deserving candidate can be the king.

### 3.10 Judicial Differences among *Dharmaśāstra*, *Arthaśāstra*, and *Nītiśāstra*

The major difference seems in the judiciary of these disciplines. Laws of *Manusmṛti* seems very tough and often impractical. It blindly defends the *Brāhmaṇa* community from all type of punishments. Only the deportation from the state when he commits any heinous crime but the king cannot snatch his property or respect. *Kṣatriya* and *Vaiśya* punished by financial punishment in many places. Death sentence for these two communities applied when any

person from these two communities applies the rape on protected *Brāhmaṇ* female. Punishment for *Śūdra* seems very cruel and tough. *Śūdra* had sentenced to death even in minor crimes. *Śūdra* seems easily killable by the law of *Manu*. *Nārada* said that the wealth of *Śūdra* could pollute the treasury of king, so only the death penalty and physical punishment should be applied on *Śūdra*. Overall, physical punishment dominated in *Dharmaśāstra*.

*Arthaśāstra* seems very strict on law and order, but *Kauṭilya* applied financial penalties and punishments instead of physical violence. Crime, trial, and punishments applied after the caste identification of both the victim and accused. *Brāhmaṇa* is not free from taxes and punishment. *Cāṇakya* gave proper insult based punishment to the rape accused *Brāhmaṇa*. Overall, financial punishment applied on a wider scale in *Arthaśāstra*.

Judicial Process and philosophy of justice of *Nītiśāstra* seem some liberal than first two disciplines. Detailed discussion on judicial affairs of *Śukranīti* will take place in the next chapter where it will be visible that *Śukranīti* is clearly and strictly against the death sentence from the state to any accused. *Śukranīti* mentioned the philosophy of Veda of nonviolence and advised the king to escape from the application of death punishment on his subjects. Most dominantly, *Nītiśāstra*'s judicial system tried to maintain the balance. It includes the *Dharmaśāstra* and *Arthaśāstra* in its judicial procedure. It follows the *Dharmaśāstra* for punishment system and *Arthaśāstra* for the judicial procedure.

Time, atmosphere, and the whole scenario of Indian sub-continent also influenced the rule makers and thinkers. This factor created much distinctions and differences even among these three *Śāstras*, but collectively, all these disciplines shaped Ancient India's polity and government. Later Hindu polity took direction from this rich intellectual heritage.

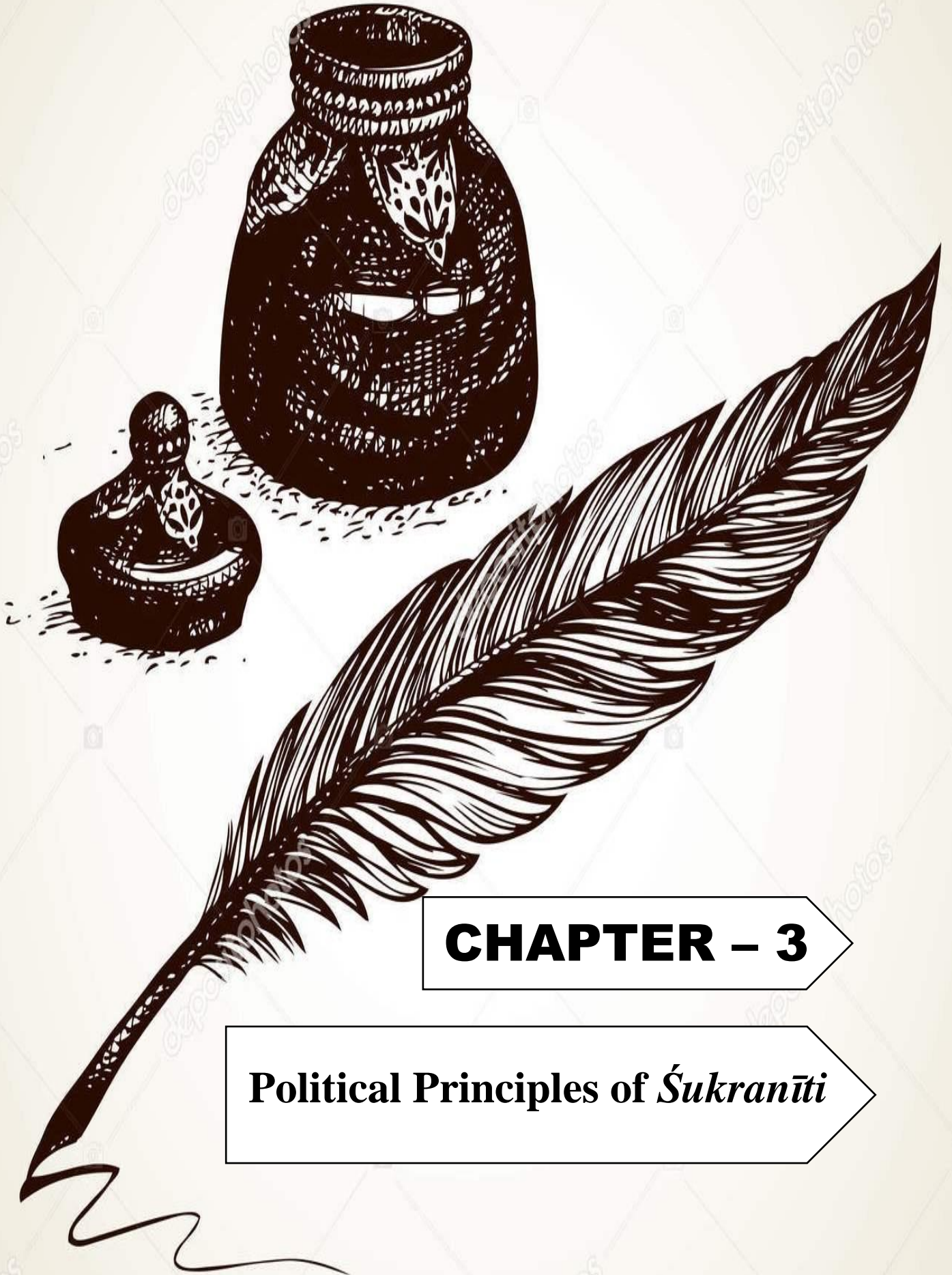
### **3.11. Social Differences among *Dharmaśāstra*, *Arthaśāstra*, and *Nītiśāstra***

The time and condition based difference occurs in social affairs. The society as described in *Manusmṛti* seems very chaotic and paasing through transformation. The social attrition challenged much more to mainstream *Sanātana* social system. It is possible that Buddhist revolution created many new ideas and those effected the varṇa and caste structure. So,

*Manusmṛti* created strong social barriers and applied almost impractical social laws over the society. The *Daṇḍa* system and spirit of punishment seems very unethical and cruel in this Smṛti. The lowest communities got harsh punishments for the little mischief. If any ruler apply the punishment system of this text, he have to kill many people in a day and all those are labours and worker communities. Means the state will fall in lack of workers and labours very soon and the upper three *varṇa* prohibited from such occupations. It means the entire productive occupation, labour-resources would get collaps, and Manu did not suggest any remedy for such circumstances. Manu seems very worry about the superiority, purity, and divinity of *Brāhmaṇa* community but ignorant about the labour and human productive resources. He strictly prohibits the appearance of *Brāhmaṇa* in a state, ruled by *Śūdra* king, means he is not ready to accept the existance of non-*kṣatriya* kingship.

Second phase of social evolution seems in *Arthaśāstra* where *Cāṇakya* did not compromise with basic social rules but he seems some liberal than *Manu*. He accepts the supermacy of *Brāhmaṇa* but it seems condition based. *Cāṇakya* has no objection on non-*kṣatriya* kingship. He gave the priority to the ability and quality, rather than birth. *Kauṭilya* first time concentrated on the polity, government, and its principles. Social norms got second priority in his work.

Third phase of social evolution seems in *Nītiśāstra* tradition where the *Śukranīti* clearly announced the superiority of *Brāhmaṇa* not by their birth but by charactere, occupation, conducts and actions. The caste of ruler got no attention and he did not neglect the non-*kṣatriya* king. *Manusmṛti* threw the untouchables and hybrid communities at the outside of the village and towns but *Śukranīti* did not focused on the birth position. The *varṇa*-hybrid theory disappeared in the work of *Śukrācārya*. *Śukranīti* described the huge list of 64 different occupations as the art and declared the bearing communities as the artist of those arts. He advised the king to secure the safety of all these communties. However, it never means that *Śukrācārya* avoided the *varṇa*-order. His all concern seems focused on the polity. Social restrictions are less than previous two traditions.



## **CHAPTER – 3**

### **Political Principles of *Śukranīti***

## Chapter – 3

### Political Principles of *Śukranīti*

The tradition, time, author, and environment of *Śukranīti* reflects its political ideology and principles. The revised edition of ancient *Śukranīti* explored itself with all relevant aspects. The latest time and added matters made this text very close to our present time and environment. It is very much possible that last amplification took place in medieval time of Indian history. It was the time when the guns, cannons, gun-powders, pistols like modern weapons but it was the early time of these weapons in India. Parameters of every ancient Indian polity got revolutionary changes. We saw in the discussion of the previous chapter that how much the society, philosophy, political scenario got change till the last amplification of this text. Now, the situation diverted from strict rules to negotiable ways. The highly pure and disciplined communities became some liberal and left some space for other communities. Interaction with foreign communities, their lifestyle, and philosophy of life influences the Indian society. The aggrandizement of lower and weaker section of the society and atrophy in elitism created the social, religious, political, and economic transitions in all communities. That is why; we can easily see the influence of all these dimensions on political principles and theories of *Śukranīti*.

#### 1.1. Theory of Kingship in *Śukranīti*

There are three bases of theory of kingship of *Śukranīti*. First, *Śukrācārya* accepted the divine theory but in a very selective manner. His concept of divinity of king is not praised by the common people, but it created for that person, who takes the responsibility and oath of kingship. It means, *Śukrācārya* believes the divinity of the king, but he left the acceptance and divinity of the king by the citizen on his performance. Second base is not by caste or varṇa of the king but by his nature and quality. This aspect of kingship was based on character, quality, and public observance. Third, types of kings based on their area and income. In what ways and how the theory of *Śukrācārya* made its uniqueness and idiosyncrasy among previous and later political thinkers, and what are the values of kingship, it all will be discussed on these three parameters which were derived by *Śukrācārya* itself.

## 1.2. Divine theory of Kingship in *Śukranīti*

Like previous thinkers, *Śukranīti* accepted the divine theory of the origin of kingship. He described that when this world got anarchical level, and common people started shouting for protection and shelter, God created king for the protection of all subjects. God collected the eternal power from eight deities and established this power within the king.<sup>1</sup> King takes the tax as his payment in lieu of protection like Indra (Representative God of all deities).<sup>2</sup> Inspires his subjects to follow the path of truth or untruth like the *Vāyu* (God of air) and removes the darkness of anarchy and show the light of duty and responsibility like the Sun.<sup>3</sup> Punish the wicked elements like *Yama* (God of death) and collects the tax and invest this wealth for the breeding of subjects like the *Agni* (God of fire).<sup>4</sup> Abidance his subjects by his wealth like *Varuṇa* (the god of water), makes happy his subjects by his good quality and favorable acts like the moon (the god of all plants and medicine).<sup>5</sup> King protects and improves the treasure of the state like *Kubera* (the God of wealth).<sup>6</sup>

It is the theory of the origin of kingship, according to *Śukranīti*. Imitation of these qualities and govern the whole state like these Gods can make the king very successful like the divine powered king. The remarkable fact is that *Śukrācārya* did not mention any caste, class,

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- <sup>1</sup> . Arājake hi sarvasmin sarvato vidrute bhayāt,  
Rakṣārthamasya sarvasya rājānāmasrjat prabhuḥ.  
Indrānilayamārkāṇāmagneśca varuṇasya ca,  
Candravitteśayoścāpi mātrā nirhṛtya śāśvatīḥ. –Śukranīti, 1.71-72
- <sup>2</sup> . Jaṅgamasthāvarāṇāṅca hīśaḥ svatapasā bhavet,  
Bhāgabhāgrakṣaṇe dakṣo yathendro nṛpatistathā. –Śukranīti, 1.73
- <sup>3</sup> . Vāyurgandhasya sadasatkarmaṇaḥ prerako nṛpaḥ,  
Dharmapravarttako'dharmanāśakastamaso raviḥ. –Śukranīti, 1.74
- <sup>4</sup> . Duṣkarmadaṇḍako rājā yamaḥ syād daṇḍakṛd yamaḥ,  
Agniḥ śucistathā rājā rakṣārthaṃ sarvabhāgabhuḥ. –Śukranīti, 1.75
- <sup>5</sup> . Puṣyatyaṇṇaṃ rasaiḥ sarvaḥ varuṇaḥ svadhanairnṛpaḥ,  
Karaiścandro hlādayati rājā svaguṇakarmabhiḥ. –Śukranīti, 1.76
- <sup>6</sup> . Kośānāṃ rakṣaṇe dakṣaḥ syānnidhīnāṃ dhanādhipaḥ,  
Candro yathā vinā sarvairamaśairno bhāti bhūpatiḥ. –Śukranīti, 1.77

varṇa, or group as the basic eligibility for being a king. Means, anybody can be the king if he has the potential, power, divinity, and capacity. *Śukrācārya* preferred the highness of the character of the king, instead of his birth position. He preferred the purity, loyalty, spirituality, divinity in his governing style instead of his own body. *Manu* said that even a baby-king is very respectable for all citizen and system because he is the shelter of Gods, but *Śukrācārya* denied this rule and gave the respect to the king only when he performs his duties with full loyalty and accountability like the Gods. If his qualities prove him as the divine king, it means his birth has happened to the excerpt of (above mentioned) Gods. If he acts on the contrary of these qualities, means he is born of demon fraction and such type of rulers always harm their subject.<sup>7</sup>

### 1.3. Terrestrial Theory of kingship

Pari passu with the qualities mentioned above, another interesting analogy had created by *Śukranīti*. A king should behave with his subjects like; father, mother, teacher, brother, friend, *Kubera* (god of wealth) and *Yama* (God of death).<sup>8</sup> Means, a king should fraught with seven other qualities, and these seven terrestrial qualities. As an individual's happiness, progress, education, sacraments depend upon these seven people, as same as the stability, progress, and prosperity of the state depend on that king, who is containing these qualities. As a father makes his sons proficient in life by his experiences, as a mother forgives all the mischiefs of her offspring and nurtures them; same as, a king should be expert in making his citizens proficient like father and should have forgiveness of mischiefs of his subjects like mother and always nurtures them like his children.<sup>9</sup> He should treat his subjects like the teacher. As a teacher makes his pupil expert and scholar by giving him all kinds of positive

<sup>7</sup> . Yo hi dharmaparo rājā devāṃśo'nyaśca rakṣasām,

Aṃśabhūto dharmalopī prajāpīḍākaro bhavet.

–Śukranīti, 1.70

<sup>8</sup> . Pitā mātā gururbhrātā bandhurvaiśravaṇo yamaḥ,

Nityaṃ saptaguṇaireṣāṃ yukto rājā na cānyathā.

–Śukranīti, 1.78

<sup>9</sup> . Guṇasādhanasandakṣaḥ svaprajāyāḥ pitā yathā,

Kṣamayitryaparādhānāṃ mātā puṣṭividhāyinī.

–Śukranīti, 1.79

and beneficial knowledge, just like that, a king should give the knowledge of welfare and development to his subjects by his behavior. As a brother take only his part of the property from the paternal property, and equal of his, lefts for his brother; a king should also collect the tax only as per his requirement. Means he should not apply heavy taxes on his subject just for fulfillment his voluptuousness but should take only required wealth.<sup>10</sup> The king is like a friend because he protects the citizens, their women, wealth, and secrets like a friend; so that; he is like a *Bandhu* (friend cum brother). He releases the funds for subjects at emergency, so he is as the *Kubera* a God of wealth. He executes the punishments on criminals and unsocial elements as per the penal laws, so he is like the *Yamarāja* (God of death) also.<sup>11</sup>

These are the basic qualities of a ruler. Composition of all divine and proverbial qualities are the base of the success of a king. If a ruler can identify his demerits and remove them, if he can listen and face the critiques; can make his subjects happy and satisfied by giving them honour and awards; controller of sense-organs, dexterous in weapon operations, enemy-destroyer, self-moderator, scholar, intellectual, logician, away from consistency of bad people, prudent, servitor of old-agers, expert in diplomacy, praised by wise-people; it means he has the divine qualities.<sup>12</sup>

It is easily visible in the theory of Śukranīti that there is no room for birth-based kingship. Śukrācārya neither rejected any particular caste or community nor appreciated any group or community for this post. After the verification of his qualities on the ground level by the

<sup>10</sup> . Hitopadeṣṭā śiṣyasya suvidyādhyāpako guruḥ,

Svabhāgoddhāraḥ bhrātā yathāśāstraṃ piturdhanāt.

–Śukranīti, 1.80

<sup>11</sup> . Ātmastrīdhanuguhyanām goptā bandhustu mitratat,

Dhanadastu kuberaḥ syād yamaḥ syācca sudaṇḍakṛt.

–Śukranīti, 1.81

<sup>12</sup> . Svān durguṇān parityajya hyativādāṃstītiḥkṣate,

Dānairmānaiśca satkāraiḥ svaprajārañjakaḥ sadā.

Dāntaḥ śūraśca śāstrāstrakuśalo'riniṣūdanaḥ,

Svatantraśca medhāvī jñānavijñānasamyutaḥ.

Nīcahīno dīrdhadarśī vṛddhasevī sunītiyuk,

Guṇijuṣṭastu yo rājā sa jñeyo devatāṃśakaḥ.

–Śukranīti, 1.84-86



feedback of citizen, a king was accepted as the divine king. *Śukrācārya* left this decision on both the subjects and the desired king.

#### 1.4. Type of kings according to nature and quality

The second aspect of kingship is the types of kings according to their nature and behavior. *Śukranīti* constructed this theory on the philosophical background. As the Indian philosophy believes that the *Prakṛti* contains three qualities and those are; *Sattva*, *Rajas*, and *Tamas*. That is why; entire creation is based on three qualities; even human nature has three aspects because of this. *Śukranīti* says that, as there are three types of *Tapa*; *Sāttvika*, *Rājas*, and *Tāmasa*, a king becomes like that tapa and quality, which followed and absorbed by him.<sup>13</sup> Three types of kings have mentioned by *Śukranīti*. First is *Sāttvika* king, second is *Tāmasa* king and third is *Rājas* king. *Śukranīti* only praised the first type of king because he has positive qualities and highly virtuous status, but the remaining two types of kings are very harmful to the state and subjects. That is why; *Śukranīti* defames them. Let us see the characteristics of all these types of kings:

*Sāttvika* king always engaged with his duties or obey the responsibilities with all concentration, he is best guardian of his subjects, ritualist of all types of sacrifices and rituals, full command over his enemies, most liberal and harmonious, forgiveness, warrior, deserter of bad desires, passionless towards greed and very kindhearted humble king.<sup>14</sup> If a king has just opposite nature instead of the qualities mentioned above, he called the '*Tāmas* king.' Such type of king fall in ghastly hell because he is very cruel, violent, untruthful, and sozzled in his personal life and job.<sup>15</sup> The third type of king is the quality of *Rājasa* king. It is the

<sup>13</sup> . Sāttvikam rājasam caiva tāmasam trividham tapaḥ,

Yādṛk tapati yo'tyartham tādṛg bhavati vai naraḥ.

–*Śukranīti*, 1.29

<sup>14</sup> . Yo hi svadharmanirataḥ prajānām paripālakaḥ,

Yaṣṭā ca sarvayajñānām netā śatrugaṇasya ca.

Dānaśauṇḍaḥ kṣamī sūro niḥsprho viṣayeṣvapi,

Viraktaḥ sāttvikaḥ sa hi nṛpo'nte mokṣamanviyāt.

–*Śukranīti*, 1.30-31

<sup>15</sup> . Viparītastāmasaḥ syāt so'nte narakabhājanaḥ,

Nirghṛṇaśca madonmatto hīmsakaḥ satyavarjitāḥ.

–*Śukranīti*, 1.32

worst level of the king. Hypocrite, greedy, prurient, swindler, deceiver, unparalleled in word and deed, shrewish, consistent of lowest manner people, vagrant, undiplomatic, pseudo-cheater, and the worst mannered king called the *Rājas* king. He falls in great hell and finds Genesis in the insect mite.<sup>16</sup> The first type of king consumes the luxuries like Gods, the second type of king face the demonic tendency and third type of king consume the humanitarian level. That is why a king should always try to arrive at the highest level of kingship. He should serve his best to his state and protect every movable and immovable thing like the father.<sup>17</sup>

An interesting metaphor had described in *Śukranīti* about the nature of the king. Above mention, types are distinctive for the king, but there is another aspect that exists within a king. It is his nature, as per dealing with different kinds of people. When he deals with intellectual communities or people, his nature responds like the moon of the winter season who only gives a healthy and awe-inspiring atmosphere. When the king deals with enemies, his nature becomes very aggressive and unbearable and like the sun of the summer season but when he handles his subjects and citizen, his all glory and highness diverted to a very favourable and comfortable level like the sun of spring season which produces flowers by his healthy shine. The Kings have three types of nature at a time according to his work and dealing.<sup>18</sup>

Remarkably, *Śukrācārya* did not mention any class or elite family for the eligibility of kingship. He directs and clearly says that only the qualities of the king make him an ideal

<sup>16</sup> . Rājaso dāmbhiko lobhī viṣayī vañcakaśāṣṭhaḥ,

Manasā'nyaśca vacasā karmaṇā kalahapriyaḥ.

Nīcapriyaḥ svatantraśca nītihīnaśchalāntaraḥ,

Sa tiryaktvaṃ sthāvaratvaṃ bhavitā'nte nṛpādhamāḥ.

–Śukranīti, 1. 33-34

<sup>17</sup> . Devāṃśān sātṭviko bhūṅkte rākṣasāṃśāṃstu tāmasaḥ,

Rājaso mānavāṃśāṃstu sattve dhāryyaṃ manastataḥ.

–Śukranīti, 1.35

<sup>18</sup> . Vidyāvatsu śaraccandro nidāghārko dviṣatsu ca,

Prajāsu ca vasantārka iva syāt trividho nṛpaḥ.

–Śukranīti, 1.282

king. His governing power, accountability, and way of governance secure his place in the state, society, and also among the scholars.

*Śukranīti* did not say anything about the caste, or clan of the king. It does not reject other kings like *Manusmṛti*. *Śukranīti* disproves the theory of *Dharmaśāstra* because they are very rigid and strict on the caste and *varṇa* of the king. They accepted only *Kṣatriya* in this position and made the base of their theory to the *Rgvedic* hymn of *Puruṣa Sūkta*. *Nītiśāstra* did not consider this theory on a political level. Even the *Śukranīti* rejected the birth-based honor system and said that no one is *Brāhmaṇa*, *Kṣatriya*, *Vaiśya*, *Śūdra* or *Mleccha* by birth; only nature, quality, and actions (are parameters of these distinctions).<sup>19</sup> *Śukrācārya* presented his same view about the king also. He said at another place that any king can be the ‘worshipable king’ by his nature, quality, and highness of character. A king can never be praised by the people on the lack of these qualities, and it doesn’t matter if he is born in an elite caste or family. A king earns the prestige and glory by his power, strength, and stoutness, and that kind of achievements cannot be achieved by elite birth only.<sup>20</sup>

These statements rejected the traditional approach of kingship and accepted all those eligible and powerful people, who established themselves as the successful and historic rulers on the canvas of history. Time and environment of history are also responsible for such type of political diversion. The society step upped from *Varṇa*, and it has taken the caste form. The *Śreṇī* (categories or communities) of *vaiśyas* and skilled workers from *Śūdra varṇa* became stronger on both social and communal level. Accelerated social changes and transitions influenced the theories very much. Most of the old social theory became irrelevant due to revolutionary changes. Mutual dependency was almost running in its path, but newly added communities and foreign races made it most crucial and controversial. Concept of one union of states was often unconsidered, and there were uncounted numbers of small and large kingdoms. They were fighting against each other because everyone was enemy of its just

<sup>19</sup> . Na jātyā brāhmaṇaścātra kṣatriyo vaiśya eva na,

Na śūdro na ca vai mleccho bheditā guṇakarmabhiḥ.

–*Śukranīti*, 1.38

<sup>20</sup> . Pūjyastvebhirguṇairbhūpo na bhūpaḥ kulasambhavaḥ,

Na kule pūjyate yādrg balaśairyyaparākramaiḥ.

–*Śukranīti*, 1.182

later kingdom according to the theory of *Manu*. *Svarāṣṭra*, *Arirāṣṭra*, *Mitrarāṣṭra*, and *Udāsīnarāṣṭra* type of distinctions created many boundaries. But some strong dynasties extended their kingdom. They made included other kingdoms under their authority by military operations. They almost won the boundaries till the ocean as these political thinkers derived the highest level of a universal king. So, what are the steps and categories of such kings, it is described in *Śukranīti*. Let us see the types of kings and their bases.

### 1.5. Type of Kings on Economic level

*Śukranīti* characterizes rank wise eight types of kings as per their annual income. The smallest rank of the king was 'Sāmanta.' Its annual income without extortion was between one lakh to three lakhs. If he earns above than three lakhs but less than one million, his rang turns up, and he becomes the 'Māṇḍalika' which is the second smallest rank of the king.<sup>21</sup> One million of rupees (of that time) and less than two millions annual income from the state by taxation and other gross profit was denoting the third rank from down of the king and this is called the 'Rājā'. If his annual income cross this boundary and he earns annually till five millions of rupees by such sources, he becomes the 'Mahārāja,' and the rank of this king was fourth.<sup>22</sup>

Above mentioned, four ranks of kings were the small units, and their consideration on a larger scale was often denied due to their strength, size, and income. There were many independent states and small kingdoms, but whenever any strong and external invading king attacks on such small kingdoms, they easily accepted their subordination. In this condition, a fixed part of their annual income was sent as the tax to that conqueror. It was the nature of kingship under the vast empire. The expansionist policy of the empire was a result of such

<sup>21</sup> . Lakṣakarṣamito bhāgo rājato yasya jāyate,

Vatsare vatsare nityaṃ prajānāntvavipīḍanaiḥ.

Sāmantaḥ sa nṛpaḥ prokto yāvallakṣatrayāvadhi,

Tadūrdhvaṃ daśalakṣānto nṛpo māṇḍalikaḥ smṛtaḥ.

–Śukranīti, 1.183-184

<sup>22</sup> . Tadūrdhvantu bhavedrājā yāvad viṃśatilakṣakaḥ,

Pañcāśallakṣaparyyanto mahārājaḥ prakīrtitaḥ.

–Śukranīti, 1.185

largest states, or we can say the union of states. Next four ranks of kings had such nature. If the annual income hangs between five million to less than ten millions rupees, the king becomes the 'Svarāṭ.' The sixth type was for 'Samrāṭ' whose annual income was between twenty million to hundreds of million rupees. 'Virāṭ' was the second strongest and highest rank in kingship. His annual income was above to eleven crores of rupees and less than fifty crores of rupees. The supreme rank of the king means one and only one emperor above all small kings called the 'Sārvabhauma.' It was also known as 'Cakravartin Samrāṭ,' and the seven-continental land (hemisphere till the ocean) was operated under this king.<sup>23</sup>

This distinction was described by previous traditions also. That is why; it was the political principle of ancient India that a king has to extend his power and territory. He should try to be the universal king, and it was his supreme goal of kingship.

### 1.6. Utility and Importance of the King

As we have seen in the *Mahābhārata* section that a ruler-less state does not have any order and law. So, the first rulership is the necessity of the state. A state without a king or ruler is just an imaginary state of mind but not reality. *Śukranūti* has clear conception regarding this aspect and described the necessity of a ruler. King is the root cause of the progress of the state. It is remarkable that in the present world, there are approximately 293 countries and many unrecognized and uncounted islands and tribes. Every community, state, nation has its political form and government, but one thing is common everywhere, and that is the rulership. There is no state in the world who is operating by itself without any governmental body. The form of government and the nature of polity may be different, maybe democratic or monarchical or autocratic, or feudal, but every state and country is ruling by some governmental form. It is also remarkable that every structure of polity has a particular face.

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<sup>23</sup> . Tatastu koṭiparyantaḥ svarāṭ samrāṭ tataḥ param,  
 Daśakoṭimīto yāvat virāṭ tu tadanantaram.  
 Pañcāśatkoṭiparyantaḥ sārvabhaumastataḥ param,  
 Saptadvīpā ca pṛthivī yasya vaśyā bhavet sadā.

Now, if we see the ancient Indian polity or the pre-independent Indian polity, we can see this essence and fact. The essence of this statement is the importance of the king or rulership. King or ruler of the state is the inspiration of his citizen regarding their behavior. The king inspires and guides them to follow the path of honesty, brotherhood, accountability, respect of the nation, responsible approach towards the society, etc. so, a king is the controller and driver of his time. Time does not inspire people, but the king affects the time and atmosphere. That is why; it is called that time is not the factor of behavior and progress but the king.<sup>24</sup> It is only the king who applies the chastisement on his subjects and establishes every subject in his provided duty and responsibility. An aware king strongly follows his *Dharma* (duty), and by the fear of strict chastisement, entire system and administration, including common people, obey their duties. If a king gets fail in this practice, his power automatically gets ruined, and he loses everything.<sup>25</sup>

*Śukranīti* says that as the moon is root-cause of flood tide in the ocean, same as a subject-favorable and kindhearted king is the cause of the progress of a state.<sup>26</sup> If a state is running without a king, that is like a ship without seafarer. As the ship drowns in the sea without a mariner, a state decays without the ruler.<sup>27</sup> It is the importance of the king for a state. We can see this spirit in our modern Indian democracy also. There are many rulers in Indian modern history who established themselves as very successful leaders and diverted the root of time. They have shown us the path of great human values and respect of the nation. This tradition is unbroken, and it has continuously been waving since the early stage of time and

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<sup>24</sup> . Ācāraprerako rājā hyetatkālasya kāraṇam,

Yadi kālaḥ pramāṇam hi kasmāddharmo'sti kartṛṣu.

–Śukranīti, 1.22

<sup>25</sup> . Sudaṇḍairdharmaniratāḥ prajāḥ kuryānmahābhayaiḥ,

Nṛpaḥ svadharmanirato bhūtvā tejaḥkṣayo'nyathā.

–Śukranīti, 1.25

<sup>26</sup> . Rājāsya jagato heturvṛddhyai vṛddhabhisammataḥ,

Nayanānandajanakaḥ śaśāṅka iva toyadheḥ.

–Śukranīti, 1.64

<sup>27</sup> . Yadi na syānnarapatīḥ samyaṅnetā tataḥ prajā,

Akaṛṇadhārā jaladhau vīplaveteha nauriva.

–Śukranīti, 1.65

polity. Their duties towards the nation and responsibility about their duties made them great. So, the curiosity rises that what are the duties of a ruler? It is noticeable here.

### 1.7. Utilization of good and bad facet of the character of king

Since there is no birth based superiority or divinity attached with king according to *Śukranīti*, it became very important to moderate the character of the king. *Manu* denied the *Śūdrarājā* due to his birth position because that conception believes in birth-based purity or impurity. However, *Śukrācārya* avoided this principle and emphasized on the character of the king rather than his caste or race. Character and its natural dimensions are very common, and no one can deny this fact. A king deals with all types of cases and persons and sometimes with wild animals and wild-character humans. That is why; every quality should exist in the character of a king. *Śukranīti* firstly suggests the king make himself very humble and courteous then he makes his all system like his. Modesty is the base of morality, knower of various disciplines is always courteous, the aim of modesty is to be victorious over the sense-organs, and only a well-commanded person is able to understand the essence of knowledge.<sup>28</sup> There are five stages for making entire state tactful and good. It is the greatest political principle of this text where the policy-maker is telling about the moderation of the entire state, and it's all seven limbs. Only that state or nation can be developed where all people understand their responsibility and honesty towards the nation and society. These qualities arise in the heart and mentality, and this mentality rises from the politeness and tactful character. That is why *Śukranīti* said that five stages could make the entire country tactful and polite. The first stage is for the king, where he makes himself loyal, victorious over the sense-organs, humble, tactful, and courteous. When the king achieves these qualities, he applies it to his son. It is the second stage where the king trained his next generation for safe and transparent leadership. Ministers not only advise the king but also execute the policies among people and state. Character-based purity and transparency are most important for them so that they can honestly execute the policies and serve their best for the progress of

<sup>28</sup> . Nayasya vinayo mūlaṃ vinayaḥ śāstranīścayāt,

Vinayasyendriyajayastadyuktaḥ śāstramṛcchati.

–*Śukranīti*, 1.92

the state. The fourth stage is for the servants. We can include all other staffs who is situated on the third and fourth class. Their character and fidelity direct affect the citizens. So their character should be like the king, and they have to understand and feel their value of duty. Fifth and last stage is for all citizens of the state. When the governing system and government will be honest, liberal, loyal, and the system will be transparent and favourable for all, the subject will automatically follow their rulers and executors.<sup>29</sup> It is the way to make a country honest and dedicated to their duties. King should not edify only the people but also assimilate all these qualities in his character and behavior. In the lack of this formula, many kings lost their authority.<sup>30</sup>

Utilization of psychosis is another aspect of the king's personality. *Śukranīti* did not ask the king to remove this psychosis. These are the *Kāma*, *Krodha*, and *Lobha*. It is mentionable here that a king never falls in the *Vāsanā* (lustiness) because this is the cause of destruction. A king has to prohibit himself from lustiness.<sup>31</sup> But he should utilize the psychosis at the same time. When a king thinks about his subject and their welfare, he should use the *Kāma* (desired) psychosis with full dedication. Because this phase of character provides the room for more humanity and love towards his citizens. He can be more kindhearted for his subjects. When he deals with enemies, he should full with *Krodha* (anger) psychosis. Anger makes him strong against his enemies. Increasing and protection of forces are only done with *Lobha* (greed). A victorious king should always implant these qualities in his character.<sup>32</sup>

### 1.8. Duties and Responsibilities of King

<sup>29</sup> . Ātmānaṃ prathamam rājā vinayenopapādayet,

Tataḥ putrāmstato'mātyāmstato bhṛtyāmstataḥ prajāṃ.

–Śukranīti, 1.93

<sup>30</sup> . Paropadeśakuśalaḥ kevalo na bhavenṅraḥ,

Prajādhikārahīnaḥ syāt saḡuṇo'pi ṅraḥ kvacit.

–Śukranīti, 1.94

<sup>31</sup> . Viṣayāmiṣalobhena manaḥ prerayatīndriyam,

Tannirudhyāt prayatnena jite tasmin jiteṅdriyaḥ.

–Śukranīti, 1.99

<sup>32</sup> . Kāmaḥ prajāpālāne ca krodhaḥ śatrunivarhaṇe,

Senāsandhāraṇe lobho yojyo rājñā jayārthina.

–Śukranīti, 1.118



King is the source of all power and authority. If the king becomes uncontrolled and biased, the subject gets great to suffer. If the king has no mental power and no command over his officers and ministers, the people in various posts openly exploit the common people so that the image of the king get a bad impression. That is why; the duties and responsibilities of the king are a most relevant and sensitive matter for in the polity. The first duty of a victorious and diplomate king is that he should learn and get the expertise in *Nītiśāstra*. Here the word *Nītiśāstra* means the whole political science including governance, diplomacy, internal and external affairs, administration, ethics and moralities of kingship and ruling, and all other things. *Nītiśāstra* has man synonyms like *Daṇḍanīti*, *Arthaśāstra*, *Rājanīti*, *Rājadharmā*, and *Kṣātravidyā*.<sup>33</sup> It also called “the science of coercion” or “the science of government.”<sup>34</sup> Śukrācārya emphasized that a king have to know the *Nītiśāstra*; the science of polity. Apart from *Nītiśāstra*, all other disciplines have described only one side of complete knowledge, but the *Nītiśāstra* secures the goodwill and contract of public welfare and social security (between citizen and state). Only it is the single knowledge system, who can secure all four *Puruṣārtha* (*Dharma*, *Artha*, *Kāma* and *Mokṣa*) of its learner and followers.<sup>35</sup> This discipline is the only way to become a successful, popular ruler. This knowledge helps the king to defeat his enemies (internal and external).<sup>36</sup> As living beings cannot survive without food, the existence of all kinds of public affairs cannot survive without the knowledge of *Nītiśāstra*.<sup>37</sup> Expertise in *Nītiśāstra* is the fundamental virtue of the king because it realizes him the dignity and responsibility of kingship.

<sup>33</sup> . Jauhari, Manorama, Politics and Ethics in Ancient India, p. 31

<sup>34</sup> . Prasad, Beni, Theory of Government in Ancient India, p. 21

<sup>35</sup> . Kriyaikadeśabodhīni śāstrānyanyāni santi hi.

Sarvopajīvakam lokasthitikṛnnītiśāstrakam,

Dharmārthakāmamūlam hi smṛtam mokṣapradam yataḥ.

–Śukranīti, 1.4-5

<sup>36</sup> . Ataḥ sadā nītiśāstramabhyasedyatno nṛpaḥ,

Yadvijñānānnpādyaśca śatrujillokarañjakāḥ.

–Śukranīti, 1.6

<sup>37</sup> . Sarvalokavyavahārasthitirṇītyā vinā nahi,

Yathāśanairvinā dehasthitirna syāddhi dehinām.

–Śukranīti, 1.11

A well trained and ideal king always dedicates all his time and power to the state. The king is not the whole state but the part of the state as per the *Saptāṅga* theory of the state. When a man accepts the kingship, it means he has bound himself with the state through some supreme contracts. The first condition of that contract is the security and nursing of the state. It became the fundamental duty of the king. Protection of the subjects and repression of unsocial elements is the supreme duty of the king.<sup>38</sup> If the king breaks this contract and he ignores the security of his subjects, he faces the tragedy and the deities kick off him in the highly sufferable Abaddon.<sup>39</sup> For well-functioning the state, a king should follow the eight conducts: suppression of wicked people, donation, nursing the subjects, conduct the dominance increasing sacrifices like *Rājasūya*, etc. justified magnification in exchequer, establish command over the other kings and collect the taxes form them, defeat the enemies and extend the state boundaries.<sup>40</sup> Sequences of the conducts are remarkable here. First of all, a king should clear the hindrance of the way of government. King should either imprisoned the anti-social elements or can wash them out of his state, or he can kill them if they create a heavy problem within the state. After this step, his image will seem some cruel, and for this damage, he should donate some money, scholarships, land or post to the wise and good people. This donation makes his image good among good people. Then he should fully concentrate on his citizens and other subjects.

Sacrifices were signaller of the strength of the king. When he conducted the great sacrifices like *Rājasūya*, he shows his power and dominion to the neighbor states and kings. It was helpful to extend state boundaries. *Rāmāyaṇa* and *Mahābhārata* also supported these

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<sup>38</sup> . Nṛpasya paramo dharmah prajānāṃ paripālanam,

Duṣṭanigrahaṇam nityam na nītyā'to vinā hyubhe.

–Śukranīti, 1.14

<sup>39</sup> . Arakṣitāraṃ nṛpatim brāhmaṇam cātapasvinam,

Dhanikaṃ cāpradātāraṃ devā ghnanti tyajantyadhaḥ.

–Śukranīti, 1.121

<sup>40</sup> . Duṣṭanigrahaṇam dānam prajāyāḥ paripālanam,

Yajanam rājasūyādeḥ kośānām nyāyato'rjanam.

Karadīkaraṇam rājñām ripūṇām parimardanam,

Bhūmerupārjanam bhūyo rājavṛttam tu cāṣṭadhā.

–Śukranīti, 1.124-125

sacrifices. *Rāma* conducted the *Aśvamedha* sacrifice, whereas *Pāṇḍava* conducted the *Rājasūya* sacrifice after their victory. When all state establishes by these four steps, now the king should increase his treasure because economic power helps the state in crisis. So the fifth and sixth steps are for the financial strength where the king increase the government exchequer. Now, it is a perfect time, and condition for war-operations against the enemies and neighbor states, and these steps extend his boundaries and his level of kingship also. As we saw in the previous discussion, a king can be the *Cakravartin* king at the end. So, the king should try to achieve that goal.

King should always stay connected with his subjects. Distance between common people and the king is quite big, but knowing their mentality about the king is very useful for the king. That is why; the king should plant his dedicated, devoted, and loyal secret agents among the folk so that he can directly collect the grievances from the common people. If anybody or any group of people pass the remarks about mischiefs or faults of the system or king, the king should never get angry on those people, but he should erase that fault and rectify his mistakes.<sup>41</sup> A ruler should always make improvements within his conducts and character. He should listen to the complaints with a peaceful mind and solve them. He should always mind the happiness and sufferings of the citizen. If he ignores these aspects and operates his state with cheese-paring, disrespects the subjects, do the fraudulent behavior, passes the harsh speeches and suppress the people with lethal punishment, the state and common people leave such king.<sup>42</sup>

Mental peace, inner purity, and unsullied character is the secret of happiness. If a king wants the ultimate happiness and desired for such level of inner purity, he should leave the ‘six inner enemies’ (*Ariṣadvarga*). These are the bad desires (*Kāma*), anger (*Krodha*), illusion

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<sup>41</sup> . Cāraiḥ svadurguṇaṃ jñātvā lokataḥ sarvadā nṛpaḥ.

Sukīrtiyai santyajennityaṃ nāvamanyeta vai prajāḥ,

Loko nindanti rājaṃstvāṃ cāraiḥ saṃśrāvito yadi.

Kopaṃ karoti daurātmyādātmagurguṇalopakaḥ.

–Śukranīti, 1.133-135

<sup>42</sup> . Adānenāpamānena chalacca kaṭuvākyataḥ,

Rājñāḥ prabaladaṇḍena nṛpaṃ muñcati vai prajā.

–Śukranīti, 1.140

(*Moha*), greed (*Lobha*), haughtiness (*Māna*), and intoxication (*Mada*).<sup>43</sup> There are many kings in the lap of history, who got failed due to their one character based fault. They were powerful, and the king of great kingdoms but their one fault destroyed them. *Śukrācārya* gave many examples of previous kings from literary sources like King *Daṇḍaka*, *Janamejaya*, *Aila*, *Vātāpi*, and *Rāvaṇa*. These kings had fastened by above mentioned inner enemies and got destroyed.<sup>44</sup> It is essential for a king and his staff to avoid such bad habits. In the previous discussion, *Śukrācārya* advised the king to carry some anger, greed, and desire<sup>45</sup>, and he is saying here just opposite. It is because the utilized usage of three addictions is useful for the state. King should never apply those addictions apart from the diplomatic affair. This is the essence of both rules.

King's duty is not only for his citizens but also for every creature. He is the king of all living and non-living beings, movable and immovable things, humans and animals, cattle, mountain, river, mine, floras and faunas and all are equally able to get the protection from king. That is why; it is advised to the king to protect the entire state with mercy and peace because mercy with all is the supreme virtue of a king.<sup>46</sup> The ruler should never tantalize the poor for his pleasure (but always try to protect them and their dignity) because the death of a constrained person can destroy the dynasty of that king.<sup>47</sup> Last but not least duty of a king is to protect his land at any condition. The land is base of all things. It counted as the *Rāṣṭra* or Janapada as the part of seven elements of the state. Its protection is the last duty of king

<sup>43</sup> . Kāmakrodhastathā moho lobho māno madastathā,

Ṣaḍvargamutsrjedenamasmiṣṭyakte sukhī nṛpaḥ.

–Śukranīti, 1.143

<sup>44</sup> . Daṇḍako nṛpatiḥ kāmāt krodhācca janamejayaḥ,

Lobhādailastu rājarṣirmohād vātāpirāsuraḥ.

Paulastyo rākṣaso mānāmadād dambhodbhavo nṛpaḥ,

Prayātā nidhanaṃ hyete śatruṣaḍvargamāśritāḥ.

–Śukranīti, 1. 144-145

<sup>45</sup> . Śukranīti, 1.118

<sup>46</sup> . Ānṛśaṃsyam paro dharmāḥ sarvaprāṇabhṛtām yataḥ,

Tasmādrājānṛśaṃsyena pālayet kṛpaṇam janam.

–Śukranīti, 1.159

<sup>47</sup> . Na hi svasukhamanvicchan pīḍayet kṛpaṇam janam,

Kṛpaṇaḥ pīḍyamānaḥ svamṛtyunā hanti pāṛthivam.

–Śukranīti, 1.160

because if he failed to protect it, and it goes under the enemy's custody, the loser king can lose all his respect and power. If a king collects all luxurious stuff around him and protects his wealth and life but fail to protect his land, it means him all protection and earning is useless.<sup>48</sup> The great quote of *Mahābhārata* that pleasure of the subjects is the parameter of happiness of the king. King's welfare is associated with the welfare of the state. If he becomes unable to protect them or make them happy, his entire kingship is failed. So, the service of the state and people is the first and last duty of a king.

### 1.9. Persuasion of Arts and Education by the king

A king should not listen to the flattery during the court administrative work or court proceeding. The subordinates often try to sycophancy the king for diverting his honesty. So he should be cautious during the court proceeding. If any minister keeps silence on sensitive cases due to fear, bias, or poor mentality, the king should not trust them or entertain them.<sup>49</sup> Production of knowledge and appreciation of talent is also a responsibility of the king. A king should provide the fellowships to his citizens so that they can be able to get education and skill for arts. Arts and education should be protected and provided by the king.<sup>50</sup> When these people complete their education or art-training, the king should appoint them on various duties as per their talent and specialization. The king should give the annual awards and honour to the best talent in education or profession.<sup>51</sup> He should always appreciate

<sup>48</sup> . Upabhogāya ca dhanam jīvitam yena rakṣitam,

Na rakṣitā tu bhūryena kiṃ tasya dhanajīvitaiḥ.

—Śukranīti, 1.180

<sup>49</sup> . Sarvasmādhiko dātā śūrastvaṃ dhārmiko hyasi.

Iti vācam na śṛṇuyācchrāvākā vañcakāstu ye,  
Rāgāllobhādbhayādrājñāḥ syurmūkā iva mantriṇaḥ.

Na tānanumatān vidyānnṛpatiḥ svārthasiddhaye,

Prthakprthānmatam teṣāṃ lekhayitvā sasādhanam.

—Śukranīti, 1.362-364

<sup>50</sup> . Sarvavidyākalābhyāse śikṣayed bhṛtipoṣitān.

—Śukranīti, 1.367

<sup>51</sup> . Samāptavidyam sandṛṣtvā tatkārye tam niyojayet,

Vidyākalottamān dṛṣtvā vatsare pūjayecca tām.

—Śukranīti, 1.368

talented people because this way, he generates the best human resource, and this resource is very useful for the development of the state.<sup>52</sup>

It is not the ending of duties of the king. The first chapter of *Śukranīti* dedicated to the king, but the duties of the king have described in the entire text. King presented as the moderator of everything within his state, so all affairs were directly connected with him.

### 1.10. Treatment of tyrannical king

It is a well-known fact that king was the supreme authority and source of all powers, but if a king becomes immoral, bad and very grievous for the state and subjects, *Śukranīti* suggested some important treatments for such type of king.

If the king follows the path of immorality and become careless towards his duties, it is light but the first step of his destruction. Most of the time, this condition can be handled without any big revolution. The responsibility of citizens is mentionable here because only the subjects can wake up this king. *Śukranīti* suggested the citizens take help from the neighbor kingdom for making their king good. It means there is no any serious insurrection for citizen if they involve the neighbor king to repair the state machinery. If a king denies his duties towards the nation and follows the path of immorality, firstly the citizens should take the help of neighbor state's king. There is a condition for the help-providing king that he should be more honest, dedicated, accountable, and good than other kings. This action of citizens creates fear within the king, and he will improve himself for his safety.<sup>53</sup> Here, Śukrācārya directly involved the common people of the state because this is a direct connection with the welfare and security of the state. No system can repair this damage, and the king has the supreme authority above all machinery and the subject direct face the difficulties if a king gets ruined by his character. The safety of people and state survives only until the king is

<sup>52</sup> . Vidyākālānām vṛddhiḥ syāttathā kuryānnṛpaḥ sadā. –Śukranīti, 1.369

<sup>53</sup> . Adharmaśīlo nṛpatiryadā taṃ bhīṣayejjanaḥ,  
Dharmaśīlātibalavadriporāśrayataḥ sadā. –Śukranīti, 4.1.113

well-mannered and dedicated to his duties. If the king became bad, the people of state quickly fall in the lack of law and order.<sup>54</sup>

The second condition of such action needed when the king becomes a dictator and destroyer of his state, machinery, army, people, and resources. Even if the elite king becomes the opponent of his good qualities, policies, and army and acts in an unrighteous way, it becomes indispensable in such a case that the people leave that king by considering his as a destroyer and traitor.<sup>55</sup> We can see how much the common people are playing a role in the monarchy. Above two conditions are actively involving the common people. Due to this principle, many public rebellions took place in Indian history. Whenever any state chief or king becomes unrighteous, public of that state became rebellion. But it is also a rule that a state can never survive even in a bit of time without the king. When the common people disseat the king, all responsibility quickly moves towards the *Purodhā* (Priest) who was the first rank minister, advisor, and very powerful *Brāhmaṇa*. Now, it is the first responsibility of the priest to follow the public opinion, initiate the removal procedure of the king, and appoint another eligible candidate from the same king-family on the post of the king. He should consent with other ministers and councilors in this entire process.<sup>56</sup> It is the brief introduction of the theory of kingship described by *Śukrācārya*. Entire *Śukranīti* is for direction to the king, so these rules regulations and duties are scattered everywhere at rest in the text. We will see other rules and regulations will be seen as needed.

## 2. *Uttarādhikāra*: theory of transfer of power

There are two posts on the second rank just after the king. These are the heir-apparent and the cabinet projected, as the right, and left hand respectively of the king, as well as both, are

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<sup>54</sup> . Yāvat tu dharmasīlaḥ syāt sa nṛpastāvadeva hi,

Anyathā naśyate loko drāñnṛpo'pi vinaśyati.

–Śukranīti, 4.1.114

<sup>55</sup> . Guṇanītibaladveṣī kulabhūto'pyadhārmikāḥ,

Nṛpo yadi bhavet tantu tyajedrāṣṭravinaśakam.

–Śukranīti, 2.274

<sup>56</sup> . Tatpade tasya kulajaṃ guṇayuktaṃ purohitaḥ,

Prakṛtyanumatim kṛtvā sthāpayedrājyaguptaye.

–Śukranīti, 2.275

the ears and eyes. The prince was not only the future of dynasty but also bearers of big responsibilities during their training. Cabinet was the present advisor, and its members were the chief of various departments.<sup>57</sup> *Śukranīti* supports the monarchial king but not the dictator because an antinomian king is always calamitous for the state, the ministers and councilors leave him, and he loses the kingdom.<sup>58</sup> That is why; it is necessary for a king to discuss all governmental issues with his ministers and councilors and always apply the policies after their approval, even though the king is very intellectual and scholar.<sup>59</sup> Before the detailed discussion about ministers let us see the upbringing, training, and appointment of the prince on the supreme authority.

Modern electoral democracy gives the power of appointment of a ruler to the adult citizens of its country. A new president or prime minister takes over the charge after a fixed time by the polling process. The ultimate power of making a government is in the hand of common people. It does not happen in a monarchial state. The source of power and distributor of power is the king. The prime authority of appointing the next king was the responsibility of the present king. Since this is a serious issue related to the power-change, so the king was free advice to take from his ministers, councilors and common people. *Rāmāyaṇa* and *Mahābhārata* both support this way of appointing a king. Public opinions and suggestions of the ministerial board were taken by Daśaratha for the coronation of Rāma. *Śukranīti* fixed some rules and theories regarding this issue.

The first principle is, a king should never leave the state without king even for a bit of time. He should announce the future king and heir-apparent. Son of the kings is the prince by his birth. The next king should be his son. If there are many sons, he should appoint his eldest

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<sup>57</sup> . Yuvarājo'mātyagaṇo bhujāvetau mahībhujah,

Tāveva nayane karṇau dakṣasavyau kramāt smṛtau.

–*Śukranīti*, 2.12

<sup>58</sup> . Prabhuḥ svātantryamāpanno hyanarthāyaiva kalpate,

Bhinnarāṣṭro bhavet sadyo bhinnaprakṛtirea ca.

–*Śukranīti*, 2.4

<sup>59</sup> . Sarvavidyāsu kuśalo nrpo hyapī sumantravit,

Mantribhistu vinā mantram naiko'rtham cintayet kvacit.

–*Śukranīti*, 2.2



son on the post of heir-apparent and remaining sons should be appointed as his assistants.<sup>60</sup> If the eldest son is gorged of some serious physical disabilities like deaf, dumb, blind, leprosy, or impotence, he cannot be able to operate the state. In this condition, the king should appoint his younger son or son of that suffering prince could be the king.<sup>61</sup> Śukra has chosen the eldest son of the king for the next kingship. It means there was the concept of many princes. Concept of many wives and other women was existing in ancient time.

A king had many wives and other women for entertainment and other purposes. All of these were for the facilitation of the king. When this king gets old, and the time of appointing the new king comes, many time the dynasties get destroyed by the battle of supremacy or dominance. The political thinkers gave the solution to this problem. They suggested the king, elect his son, who is born from his first marriage and ritually accepted wife (*Dharmapatnī*). Such son was called the *Aurasa*, son of the king. Śukra also has the same suggestion.<sup>62</sup> Firstly, his elder son born from his wife is eligible for the post of *Yuvarāja*, but if he has no son, he should choose his younger brother as the *Yuvarāja*. If he has no younger brother, his paternal uncle may be the *Yuvarāja*. Absence of all these relations, he should appoint the son of his elder or younger brother, or the adopted son will be the *Yuvarāja*.<sup>63</sup>

During this process, the present king has to erase all rooms of mutual fighting among the desired princes. If he gets failed to stop this, and all princes and family members start to fight with each other, the state can be divided into many parts and can lose his sovereignty. Such a divided state can easily be grabbed by enemy-states.<sup>64</sup> All remaining close relatives

<sup>60</sup> . Nānāyakam kvacidapi karttumiheta bhūmipah,

Rājakule tu bahavaḥ puruṣāḥ yadī santi hi.

Teṣu jyeṣṭho bhavedrājā śeṣāstatkāryasādhakāḥ,

Gariyāṃso varāḥ sarvasahāyebhyo'bhivṛddhaye.

–Śukranīti, 1.341-342

<sup>61</sup> . Jyeṣṭho'pi badhiraḥ kuṣṭhī mūko'ndhaḥ ṣaṇḍa eva yaḥ,

Sa rājyārho bhavannaiva bhrātā tatputra eva hi.

–Śukranīti, 1.343

<sup>62</sup> . Kalpayed yuvarājārthamaurasam dharmapatnījam.

–Śukranīti, 2.14

<sup>63</sup> . Svakanīṣṭham pitṛvyaṃ vānujaṃ vāgrajasambhavam,

Putraṃ putrīkṛtaṃ dattaṃ yauvarājye'bhiṣecayet.

–Śukranīti, 2.15

<sup>64</sup> . Rājyavibhajanācchreyo na bhūpānām bhavet khalu,

like other sons and brothers should be appointed on various posts like the zonal chief, governor of janapada, chairperson of departments. Even the king should appoint his mother or motherlike women in the majestic kitchen.<sup>65</sup>

Other desired royal family females can take the responsibility of caring for Garments, ornaments, utensils, vessels, etc. *Śukrācārya* provide the room for females here, and they can actively participate in administrative services related to food processing, ornamentation, décor, etc. but the king has to regularly check all the activities and approve the works by his royal seal.<sup>66</sup>

These rules and regulation are for the next kingship, and some discussion takes place in transit of this issue. Remarkably, previous traditions are very strict about women; even the royal women were strictly prohibited from work and duty. But *Śukācārya* used their mind and intellect for domestic departments. Usually, the royal, especially the women of the seraglio, was only for the entertainment of the king, but *Śukranīti* gave them governmental responsibilities.

### 2.1. Education, Duties, and Coronation of Prince

The king should protect the dutiful, royalist, and diplomatic prince, no matter how old he is, even a baby prince is sensibly protectable by the king because he is the future of the state.<sup>67</sup>

The fact is, there is no option of qualification or disqualification on this matter because the post is birth based and only the son of the king can be the Prince, but his upbringing and nursing make him able to hold all these qualities. Training and education of prince and other his sibling produce these values, and they practice the values mentioned above.

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Alpīkṛtaṃ vibhāgena rājyaṃ śatrujighṛkṣati.

–Śukranīti, 1.346

<sup>65</sup> . Mātā māṛṣamā yā ca sā niyojyā mahānase.

–Śukranīti, 1.348

<sup>66</sup> . Vastrālaṅkārapātrāṇāṃ striyo yojyāḥ sudarśane,

Svayaṃ sarvantu vimṛṣet paryyāyeṇa ca mudrayet.

–Śukranīti, 1.350

<sup>67</sup> . Svadharmaniratān śūrān bhaktān nītimataḥ sadā,

Saṃrakṣayedrājaputrān bālānapi suyatnataḥ.

–Śukranīti, 2.17

There are some risks also in royal birth. Since the prince are born with authority, so their attitude seems royal, quick-tampered and other aspects which grows with them naturally. That is why; a king has to care for his sons with soft but strict disciplines. Prince is just like the lion-cubs. They can kill anyone, even his father if they see any fault.<sup>68</sup> Trustable servants or the king himself communicate with his royal boys and always know their thinking and desires. King should protect and nurture his prince in his shelter.<sup>69</sup> King should appoint many experts to educate the royal boys.

The experts should educate them and produce the expertise intellect. They should make the prince expert in political science and diplomacy, warfare, sharp in weapon operating, great endurance in suffering, make them completely aware of vocal and physical harms, valiant warriors, fluent in whole arts and disciplines of knowledge, innocent, fraudless and very polite.<sup>70</sup> If the prince seems lazy during his training and he becomes felonious, still the king should never leave them because they can kill their king after taking the shelter of enemy kings.<sup>71</sup>

Now, let us see the moralities expectations for the prince. A prince should neither ignore the elite people of his state nor molest them. Despite attaining great prosperity,<sup>72</sup> a prince should make any effort after the permission of his father only.<sup>73</sup> Commands of the father are the

<sup>68</sup> . Siṃhaśāvā iva ghnanti rakṣitāraṃ dvipaṃ drutam,

Rājaputrā madoddhūtā gajā iva niraṅkuśāḥ.

–Śukranīti, 2.19

<sup>69</sup> . Svātyantasannikarṣeṇa rājaputrāmstu rakṣayet,

Sadbhṛtyaiścāpi tat svāntaṃ chalairjñātvā sadā svayam.

–Śukranīti, 2.21

<sup>70</sup> . Sunītiśāstrakuśalān dhanurvedaviśāradān,

Kleśasahāṃśca vāgdaṇḍapāruṣyānubhavān sadā.

Śauryayuddharatān sarvakalāvidyāvīdo'ñjasah,

Suvinītān prakurvīta hyamātyādyairnṛpaḥ sutān.

–Śukranīti, 2.22-23

<sup>71</sup> . Rājaputraḥ sudurvṛttaḥ parityāgaṃ hi nārhati,

Kliśyamānaḥ sa pitaraṃ parānāśritya hanti hi.

–Śukranīti, 2.26

<sup>72</sup> . Sarkar, B.K., The Śukranīti, p. 63

<sup>73</sup> . Mahājanāmstathā rāṣṭre nāvamanyeta pīḍayet,

Prāpyāpi mahatīm vṛddhiṃ vartteta piturājñāyā.

–Śukranīti, 2.37

best pretties for a prince. He should always obey his father with physical and mental dedication. *Paraśurāma* killed his mother, and Rāma left the *Ayodhyā* by following the orders of their fathers.<sup>74</sup>

Both *Rāma* and *Paraśurāma* recovered their great losses through their fathers re-command. *Paraśurāma* found her mother once again after her death because of his father and *Rāma* became the king of *Ayodhyā* as per the promise of his father.<sup>75</sup> The prince should always smoothly behave with his brothers and never demonstrate arrogance or importance before them.<sup>76</sup> Such behavior can destroy his majesty.

Discharging the duties, if the prince fall in great difficulties, he should never lose hope and duty. He tries to repair the damage whatever comes by the unfavorable environment. Sometimes the relation between father and son get crashed due to third-party interference. It often happens in this society with almost every father and son.

If the same thing happens with a prince due to false or wrong interference of snitches or spies, the prince should immediately meet the ministers or other central officers and convince them. Through those ministers and officers, he should try to clarify before his father and erase all the misleading facts. After successfully dealing with this difficulty, he should cruelly punish the opponents.<sup>77</sup>

Learning, behavior with family, and good image among the siblings are not enough for a prince. All these efforts are just useless if his image and behavior unable to satisfy the

<sup>74</sup> . Putrasya piturājñā hi paramaṃ bhūṣaṇaṃ smṛtam,

Bhārgaveṇa hatā mātā rāghavastu vanaṃ gataḥ.

–Śukranīti, 2.38

<sup>75</sup> . Pitustapobalāt tau tu mātaraṃ rājyamāpatuḥ,

Śāpānugrahayoḥ śakto yastasyājñā garīyasī.

–Śukranīti, 2.39

<sup>76</sup> . Sodareṣu ca sarveṣu svasyādhikyam na darśayet,

Bhāgārhabhrātṛñāṃ naṣṭo hyavamānāt suyodhanaḥ.

–Śukranīti, 2.40

<sup>77</sup> . Asammatam viruddham vā puturnaiva samācayet,

Cārasūcakadoṣeṇa yadi syādanyathā pitā.

Prakṛtyanumatam kṛtvā tamekānte prabodhayet,

Anyathā sūcakānityam mahaddaṇḍena daṇḍayet.

–Śukranīti, 2.45-46

common people of the state. It is an interesting aspect of this issue. A prince has to make the common people favorable and try to subdue them by his good behavior. If he becomes unable to do this, his wide acceptance would be affected. A prince should positively make an effort to make the people happy and favorable through his education, action, and behavior.<sup>78</sup>

Next king or the present prince was a very important post in ancient India's polity. We have many literary and historical evidence about this aspect. The fable of Rāmāyaṇa and *Mahābhārata* ideally presented that *Rāma* and *Kṛṣṇa* both went to the hermitage in forests and lived their young age in the lotus-feet of their teachers. Kings sent their sons for education like other common people.

It was the greatness of ancient India's education system. Weapon-operating, diplomacy, behavior, the aptitude of kingship, values, ethics, moralities all were taught them far from home in a Gurukula situated in the forest. Whatever they learn from their teacher, they practically applied in their behavior. For the erasing the arrogance and attitude, the young scholars sent for begging in villages. These were methods to educate them theoretically and practically.

### 3. Assistants of the king

Only the king or ruler and his crown prince can do nothing without assistants, advisors, and helpers. So, the king should appoint salaried officers, ministers, chief of departments, secretaries, superintendents, and other officials. Criteria for being the assistant is not the birth, caste or race, but the quality and character is supreme criteria of eligibility. Elite, deserving, characterful, warrior, royalist, conversable, well-wisher, preceptorial, tolerant, fair, repulsive of the bad mannered king, pure-hearted, without hatred, free from greed, anger, and bad desires, and agile candidates are eligible for being the assistance of the king.<sup>79</sup>

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<sup>78</sup> . Vidyayā karmanā śīlaiḥ prajāḥ samrañjayan mudā,

Tyāgī ca satyasampannaḥ sarvān kuryādvaśe svake.

—Śukranīti, 2.49

<sup>79</sup> . Kulagunaśīlavṛddhān sūrān bhaktān priyavaṃdān,

### 3.1. *Daśaprakṛtayaḥ*: The Council of ten Ministers

As we saw in the previous section, the *Yuvarāja* and ministers are the two hands, in the same sense, two eyes or ears of the king. Ministers were put on second like of government in pre-independent Indian polity. These were appointed by the king for advice the king and also for the execution of government policies. They were the chief of various departments also. Let us see the theories and rules of *Śukranīti* about the council of ministers. *Śukrācārya*'s *Prakṛti* (council of ministers) contains ten members<sup>80</sup>, but other thinkers have different numbers of ministers in this council. These ten members of central cabinet are, *Purodhā* (the priest), *Pratinidhi* (the viceroy), *Pradhāna* (the chief secretary), *Saciva* (the war secretary), *Mantrī* (diplomate or foreign secretary), *Paṇḍita* (learned advisor), *Prāḍvivāka* (chief justice), *Amātya* (land revenue officer), *Sumantra* (finance minister) and *Dūta* (ambassador).<sup>81</sup> Prof. Benoy Kumar Sarkar used the term 'departments' for the term '*Prakṛti*'.<sup>82</sup> Beni Prasad believes that these posts were not for any particular caste or class, but only the merit and character of eligible candidates was the base of these appointments.<sup>83</sup> These ten departments were situated on vertical order, and each was superior to its just lower rank officer. The highest rank officer in this council was the priest, and the second highest rank officer was the viceroy, the third rank post was for the chief secretary, the fourth rank after these three officers were fixed for the commander of the army. The fifth rank officer in this council was foreign secretary. Sixth was the chief advisor of the king. The seventh minister in council

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Hitopadeśakān kleśasahān dharmmaratān sadā.

Kumārgagaṃ nṛpamapi buddhyoddhartuṃ kṣamān śucīn,

Nirmatsarān kāmakrodhalobhahīnānnirālasān.

–*Śukranīti*, 2.8-9

<sup>80</sup> . Samāsataḥ purodhādīlakṣaṇaṃ yad taducyate,

Purodhāśca pratīdhiḥ pradhānaḥ sacivastathā.

Mantrī ca prāḍvivākaśca paṇḍitaśca sumantrakaḥ,

Amātyo dūta ityētā rājñāḥ prakṛtayo daśa.

–*Śukranīti*, 2.69-70

<sup>81</sup> . Sarkar, B.K., *The Śukranīti*, p. 70

<sup>82</sup> . *Ibid*, p. 68

<sup>83</sup> . Prasad, Beni, "Theory of Government in Ancient India", p.251

was the chief justice. Last third rank was for revenue officer; second last post was for finance officer, and the lowest rank in this council was the ambassador.<sup>84</sup>

### 3.1.1. Salary of Ministers

As above mentioned, ten central and supreme officers are ranked vertically; their pay-scale was also an essential factor in their rank distribution. All these ten officers were appointed based on direct financial salary. These were financial beneficiaries, direct from the king. *Śukrācārya* derived their pay scale by their rank position. Each council member was eligible for one-tenth more than those of subsequent men up to the ambassador or spies.<sup>85</sup> Vandana Nagar used the same as Prof. B.K. Sarkar, describing the pay scale of these ministers.<sup>86</sup> The verse regarding the pay scale is:

“*Daśamāṃśādhikāḥ pūrvam dūtāntāḥ kramaśaḥ smṛtāḥ.*”<sup>87</sup>

Dr. Jagdeeshchandra Mishra explained the term ‘*Daśamāṃśādhika*’ as “ten times more” than just junior officer.<sup>88</sup> Here, the explanatory dispute has created between the explanations of Jagadeesh Chandra and Benoy Kumar Sarkar. Vandana Nagar quoted the terms of Sarkar as we have seen at the starting of this section. If we analyze it based on Dr. Mishra and assume the payment of *Dūta* as 100 Paṇa per month, the monthly payment of officers will be as follow:

<sup>84</sup> . Purodhāḥ prathamam śreṣṭhaḥ sarvebhyo rājarāṣṭrabhṛt,

Tadanu syāt pratinidhiḥ pradhānastadanantaram. –Śukranīti, 2.74

Sacivastu tataḥ prokto mantrī tadanu cocyate,

Prāḍvivākastataḥ proktaḥ paṇḍitastadanantaram. –Śukranīti, 2.75

Sumantrastu tataḥ khyāto hyamātyastu tataḥ param. –Śukranīti, 2.76

Dūtastataḥ kramādetē pūrvaśreṣṭhā yathā guṇāḥ. –Śukranīti, 2.77

<sup>85</sup> . Sarkar, B.K., The *Śukranīti*, p.68

<sup>86</sup> . Nagar, Vandana, “Kingship in the *Śukra Nīti*”, p. 72

<sup>87</sup> . *Śukranīti*, 2.71

<sup>88</sup> . Mishra, Jagadeeshchandra (Ed), “*Śukranītiḥ*”, p. 172

Sr. No.	Post Name	Calculation	Final Salary
1.	<i>Dūta</i>	100/- (assumed salary of a month)	One hundred of <i>Paṇa</i>
2.	<i>Sumantra</i>	100×10	Thousands of <i>Paṇa</i>
3.	<i>Amātya</i>	1000×10	Ten thousands of <i>Paṇa</i>
4.	<i>Prāḍvivāk</i>	10000×10	One Lakh of <i>Paṇa</i>
5.	<i>Paṇḍita</i>	100000×10	One million of <i>Paṇa</i>
6.	<i>Mantrī</i>	1000000×10	Ten Millions of <i>Paṇa</i>
7.	<i>Saciva</i>	10000000×10	Hundred millions of <i>Paṇa</i>
8.	<i>Pradhāna</i>	100000000×10	One billion of <i>Paṇa</i>
9.	<i>Pratinidhi</i>	1000000000×10	Ten billions of <i>Paṇa</i>
10.	<i>Purodhā</i>	10000000000×10	Hundred billions of <i>Paṇa</i>

According to the explanation of Dr. Mishra, The monthly salary of *Purodhā* (priest) will be the one hundred billions of *paṇa*. We have seen the annual income of kings as per their size also. If we believe in this calculation, the total income of the king will be unable to pay one month of the salary of ministers. It is not seeming genuine calculation. It is very hard to believe in the calculation mentioned above and the derivation of the pay scale. Prof. Sarkar and Dr. Nagar, both used the term ‘one-tenth’ means ten percent greater than just junior ranker officer. Now, we see the pay scale on the basis of the same parameter. If we believe in this calculation and assume the monthly pay of *Dūta* Thousands of *Paṇa*, the pay scale of officers will be as follow:

Sr. No.	Name of the Post	Calculation	Final Salary
1.	<i>Dūta</i>	1000/- (assumed salary of one month)	1000/- of <i>paṇa</i>
2.	<i>Sumantra</i>	1000 + 10% of more than <i>Dūta</i>	1100/- of <i>paṇa</i>
3.	<i>Amātya</i>	1100 + 10% of more than <i>Sumantra</i>	1210/- of <i>paṇa</i>



4.	<i>Prāḍvivāk</i>	1210 + 10% of more than <i>Amātya</i>	1331/- of <i>paṇa</i>
5.	<i>Paṇḍita</i>	1331 + 10% of more than <i>Prāḍvivāk</i>	1464.1/- of <i>paṇa</i>
6.	<i>Mantrī</i>	1464.1 + 10% of more than <i>Paṇḍita</i>	1610.51/- of <i>paṇa</i>
7.	<i>Saciva</i>	1610.51 + 10% of more than <i>Mantrī</i>	1771.56/- of <i>paṇa</i>
8.	<i>Pradhāna</i>	1771.56 + 10% of more than <i>Saciva</i>	1948.72/- of <i>paṇa</i>
9.	<i>Pratinidhi</i>	1948.72 + 10% of more than <i>Pradhāna</i>	2143.59/- of <i>paṇa</i>
10.	<i>Purodhā</i>	2143.59 + 10% of more than <i>Pratinidhi</i>	2357.95/- of <i>paṇa</i>

Above analysis and calculation is very close to reliability. All these members of the central cabinet have widely defined, and their duties have described. These were mainly for advice the king, but they were chiefs of various departments also. Priest (*Purohita*) was the highest rank council member. His respect, place, and reputation were above to all, even to the king too. In one term, we can say, he was the ‘all-rounder’ in all discipline. Rituals, Vedas, sub-Vedas, their limbs, all knowledge, philosophy, war-expert in both weapon and diplomacy, and full with the highest level of virtuous character was the parameters and characteristics of the priest. His disciplined life and noble character was a torch-bearing factor for the king and all other ministers. That is why; *Śukrācārya* advised the king to put that post even above the kingship.<sup>89</sup>

Viceroy (*Pratinidhi*) was the second minister, and his work was to guide the king about doable and non-doable works. He was like the close advisor of the king. Knower of all governmental affairs and micro-observer of all activities called the chief secretary (*Pradhāna*). Commander (*Saciva*) was head in charge of all armies, expert in every warfare,

<sup>89</sup> . Mantrānuṣṭhānasampannastravidyaḥ karmatatparaḥ,  
 Jitendriyo jitakrodho lobhamohavivarjitaḥ.  
 Śaḍaṅgavit sāṅgadharnurvedaviccārthadharmmavit,  
 Yat kopabhītyā rājāpi dharmanītirato bhavet.  
 Nītiśāstrāvryūhādikuśalastu purohitaḥ,  
 Saivācāryyaḥ purodhā yaḥ śāpānugrahaḥ kṣamaḥ.

–Śukranīti, 2.78-80

phalanx, and weapons.<sup>90</sup> Diplomate or foreign secretary (*Mantrī*) was the expert in all foreign diplomacy and involved in various negotiations with enemy or friend states. Learned advisor (*Paṇḍita*) was the minister who was observers of all social norms, execution of laws, condition of law and order, obeying rules and norms by the citizens and society and all *Dharma* (duty) related matters. Chief justice (*Prāḍvivāka*) was an expert in Laws, *Dharma*, judicial process, and penal codes, etc.<sup>91</sup> Land revenue officer (*Amātya*) was the advising the king in the land, jungle, wild, field, crop, and natural resources related matters. Geographical condition of the state, climate, weather, and all other time-based expertise was the responsibility of this revenue officer. Finance minister (*Sumantra*) appointed for bearing the financial responsibilities. He was a knower of all types of income and expenses.<sup>92</sup> Though ambassador (*Dūta*) was located at the bottom of this list, his post was very sensitive. He was the bridge between two states or kings. Any message delivery or receiving was his primary duty. Ambassador was the expert in all four diplomatic foreign policies and six steps of warfare. He was the psychologist also because his words and activity in front of an enemy king or cruel king were very risky.<sup>93</sup>

### 3.2. *Adhyakṣāḥ*: Superintendents of various departments

After the appointing ten central council members, the king should manage the remaining officers and appoint them as the superintendents of various departments who are just second level departments, and they exist in every province or district. Such kind of thirteen departments described in *Śukranīti*. These departments and their officers are:

<sup>90</sup> . Kāryyākāryyaprajñātā smṛtaḥ pratinidhistu saḥ,

Sarvadarśī pradhānastu senāvit sacivastathā.

–Śukranīti, 2.84

<sup>91</sup> . Mantrī tu nītikūśalaḥ paṇḍito dharmatattvavit,

Lokaśāstranayajñastu prāḍvivākaḥ smṛtaḥ sadā.

–Śukranīti, 2.85

<sup>92</sup> . Deśakālaprajñātā hyamātya iti kathyate,

Āvyayaprajñātā sumantraḥ sa ca kīrtitaḥ.

–Śukranīti, 2.86

<sup>93</sup> . Ingitākāracesṭājñāḥ smṛtimān deśakālavit,

Ṣaḍguṇyamantravidvāgmī vītabhīrdūta iṣyate.

–Śukranīti, 2.89

superintendent of elephants, superintendent of horses, superintendent of chariots, superintendent of infantry, superintendent of troops, superintendent of cattle, superintendent of camels, superintendent of wild animals, superintendent of birds, superintendent of gold, superintendent of silver, superintendent of gemstones, and superintendent of textiles.

Seven other departments were generated, and these are president of the wealth department, president of grain or food department, president of the majestic kitchen, president of gardens, president of palaces, president of the sacrarium, president of little and large army troops.<sup>94</sup>

### 3.3. Local administration: Village and town level

Till the president of soldiers, there are three layers of assistants of the king. From the central cabinet of ministers to the last segment, the council cum executive council slowly seems taking the shape of local administration, and finally, the six officers are advised to appoint in every village and urban area. These six officers are executing officer (for executing the punishments), village head officer, an officer for revenue procurement, account and record officer, taxation officer, and the security officers of villages.<sup>95</sup>

Five other posts had generated, and those were appointed around the king and his palace. These not the high-class posts but their direct importance for little works was very remarkable. The first job was for the transgender people. These people can serve as the government servants in the palaces of the queen and other majestic ladies. These were very useful for the safety of elite and majestic women. Internal guards, messengers,

<sup>94</sup> . Ye cānye karmasacivāstān sarvān viniyojayet,

Gajāśvarathapādātapaśūṣṭramṛgapakṣiṇām.

Suvarṇaratnarajatavastrāṇāmādhipān pṛthak,

Vittānāmādhipaṃ dhānyādhipaṃ kapākādhikaṃ tathā.

Ārāmādhipatiścaiva saudhagehādhipaṃ pṛthak,

Sambhārapaṃ devatuṣṭipatiṃ sadā.

–Śukranīti, 2.117-119

<sup>95</sup> . Sāhasādhipatiścaiva grāmanetārameva ca,

Bhāgahāraṃ tṛṭiyantu lekhaśca caturthakam,

Śulkagrāhaṃ pañcamaṇca pratihāraṃ tathaiiva ca.

Ṣaṭkametanniyoktavyaṃ grāme grāme pure pure.

–Śukranīti, 2.120

–Śukranīti, 2.121

commissionaires of seraglio were these gays. Eligibility was the same for those also. Only the truthful, attractive costumed, soft-spoken, elite, and attractive countenance castrates were eligible for this post.<sup>96</sup>

The *Paricāraka* was the second post in this row. Who has the highest level of fidelity, dedicated for their duty, every time ready for service, youngster, obedient of any order of master and doers of even the condemnable works during their jobs, are the eligible candidates for this post.<sup>97</sup>

The third and very important post was the post of the spy. Only it is the job where the jobholder was situated on the third level, but he/she was directly connected with the king. Close and trustable spies were the primary source of information. King had been watching entire secret activities behind him by the eyes of these spies. Those candidates, who can observe the activities of enemies, citizens and government officials, doubtless and clearly can hear all information and recite inherently before the king, only those candidates were eligible for being the spy.<sup>98</sup> Fourth and last post was the gatekeepers of the king. Their duty was to welcome the delegates who come to meet the king and offer them a reasonable seat.<sup>99</sup>

### 3.4. Structure of Entire Governing Machinery

Three *śloka* of *Śukranīti* sketched the structure of entire governing system according to rank and honor. King is the supreme respectable post by the ministers. Second highly respectable but less than the king is the crown prince. The third most respectable but less than the king and crown prince are the *Amātya* etc. ten central ministers. The fourth most respectable category is of common officers (superintendents, chairpersons, etc.).

<sup>96</sup> . Napuṃsakāḥ satyavācaḥ subhūṣāśca priyaṃvadāḥ,

Sukulāśca surūpāśca yoḥyāstvanṭaḥpure sadā.

–Śukranīti, 2.185

<sup>97</sup> . Sarvaṃ yadyat kāryyajātaṃ nīcaṃ vā karttumudyatāḥ,

Nideśakāriṇo rājñā karttavyā paricārakāḥ.

–Śukranīti, 2.287

<sup>98</sup> . Śatruprajābhṛtyavṛttaṃ vijñātum kuśalāśca ye,

Te gūḍhacārāḥ karttavyā yathārthaśrutabodhakāḥ.

–Śukranīti, 2.188

<sup>99</sup> . Rājñāḥ samīpaprapṭānāṃ natisthānavibodhakāḥ,

Daṇḍadharā vetradharāḥ karttavyāste suśikṣakāḥ.

–Śukranīti, 2.189

Commander of ten thousand army-men is equally respectable like central ministers. Troop commander of one thousand soldiers is less respectable.<sup>100</sup> This is the special rank division because the king is also counted here. After the king and prince, when we talk about ministers and other staff, the *Purodhā* or *Purohita* (priest) is the highest respectable post, even the king gives respect to the priest.

Commander of the army is less respectable than the priest. King, his friends, and relatives have the same place about respect. Position of the minister said to be the superior.<sup>101</sup>

*Śukranīti* divided the entire system in two class; first is a special class or majestic class where the king, crown prince, and central ministers counted. Second is the common class of officers and staffs. Second is common class, but it is divided into four classes. First class (*sāmānya koṭi*) is for the first rank officers or Gazetted officers. Second class (*nimnakoṭi*) was for observers and scribes. Servants and slaves counted under third class (*adhamatam*). Sweepers, cleaners, and scavengers were worse than slaves, and they were at the bottom of the system.<sup>102</sup>

### 3.5. Control over the Executive council

This is the most important aspect of this discussion. Above mentioned structure of government and its officials has a huge chain and system. Apart from this, other many officers and staffs will be added in this discussion as per required, but we can see the systematic and chained structure of executive and administration. Controlling the entire system and operating it for the welfare and security of the state is the biggest responsibility

<sup>100</sup> . Rājānu yuvarājastu mānyo'mātyādikaiḥ sadā,

Tannyūnāmātyanavakaṃ tannyūnādhikṛto gaṇaḥ,

Mantritulyaścāyutiko nyūnaḥ sāhasriko mataḥ.

–Śukranīti, 2.266

<sup>101</sup> . Purohitaḥ śreṣṭhataṛaḥ śreṣṭhaḥ senāpatiḥ smṛtaḥ,

Samāḥ suhrcca sambandhī hyuttamā mantriṇaḥ smṛtāḥ

–Śukranīti, 2.278

<sup>102</sup> . Adhikāriḡaṇo madhyo'dhamau darśakalekhakau,

Jñeyo'dhamatamau bhṛtyaḥ paricāraṇaḥ sadā,

Paricāraṇānnyūno vijñeyo nīcasādhakāḥ.

–Śukranīti, 2.179

of the king. It was quite tough. *Śukrācārya* suggested some remarkable and important treatments for controlling this system.

The first discussion is about to control the central ministers. As *Śukranīti* derived the qualifications and eligibility criteria, it was very much possible that officers may be most intellectual and clever even more than the king. In this condition, their proper moderation and work distribution needed more attention.

Firstly, a king should never let the officers demonstrate their power out of their range. Another remedy is the impartial, equal, and unbiased eyesight on every minister. The third is to never let any minister on much-emerging mode. These three remedies are the first treatment to command over the ten minister's council.<sup>103</sup>

Work distribution is another technique of command. A wise king should always appoint at least three officers on one mission or operation or project. The wisest minister among them can lead that team. If only one officer will handle, the chances of corruption and irregularity increased, and if three will jointly do the project, they will do it with full dedication by the spirit of competition.<sup>104</sup>

Long term plans or projects have a high risk of corruption. So the king should appoint two officers in such operations and transfer them regularly after three, five, seven, or ten years.<sup>105</sup> It is ordered for the king that he has to change the officers from one duty to another. Never let an officer work on a post for a long time.<sup>106</sup> Appointment of one officer on a post for a long time creates the room for corruption. Goblet of power and authority have much intoxication than any alcohol. It seems in the world that many abstinent people fall in corruption after getting power and authority. So the king should give the administrative

<sup>103</sup> . Na kuryyāt svādhikabalān kadāpi hyadhikāriṇaḥ,

Parasparaṃ samabalāḥ kāryyāḥ prakṛtayo daśa.

–Śukranīti, 2.108

<sup>104</sup> . Ekasminnadhikāre tu puruṣāṇāṃ trayam sadā,

Niyuñjīta prājñatamaṃ mukhyamekantu teṣu vai.

–Śukranīti, 2.109

<sup>105</sup> . Dvau darśakau tu tatkārye hāyanaistannivarttayet,

Tribhīrvā pañcabhīrvāpi saptabhīrdaśabhiśca vā.

–Śukranīti, 2.110

<sup>106</sup> . Nādhikāraṃ ciraṃ dadyādyaśmai kasmai sadā nṛpaḥ.

–Śukranīti, 2.111

responsibilities only to the eligible officer and regularly transfer them.<sup>107</sup> If any talented officer starts from the bottom of administrative layer and his performance seems very good, the king should provide him the opportunity of promotion. King should promote him as per his performance till he becomes a member of the central ministerial council of ten members.<sup>108</sup>

### 3.6. Control over ground level officers

King can directly observe and command the officers who are posted around the king, but there were many officers, superintendents, chairmen working on the ground level in villages, towns, and cities. Controlling them from the capital was a little difficult work. *Śukranīti* advises the king to visit the rural areas at least at a time in a year. The king himself goes to the ground and check the condition of people, how much his officers did the job with honesty and faithfully, what is the level of satisfaction in the common people regarding governmental services, is an officer harassing them, or exploiting them? A king should direct meet his subject by visiting their villages. A king should never defend or take the favor of his officers or system when he listens to the public grievances.<sup>109</sup>

During the king's visit, if many people complaint against any officer, the king should immediately snatch all the power and authority from that corrupt officer and dismiss him from his post. If any secretary-level officer does the injustice for the first time, the king should take him at a solicit place and reprimand him. Only the reprimand is sufficient for the first mistake of a secretary. King should give him a chance to improve. If he makes a

<sup>107</sup> . Adhikāre kṣamaṃ dṛṣṭvā hyadhikāre niyojayet,

Adhikāramadaṃ pītvā ko na muhyet punaściram.

–Śukranīti, 2.112

<sup>108</sup> . Yathā yathā śreṣṭhapade hyadhikārī yadā bhavet,

Anukrameṇa saṃyojyo hyante taṃ prakṛtiṃ nayet.

–Śukranīti, 2.115

<sup>109</sup> . Grāmān purāṇi deśāṃśca svayaṃ saṃvīkṣya vatsare,

Adhikāriṅaṇaiḥ kāśca rañjitāḥ kāśca karṣitāḥ.

Prajāstāḥ sādhubhūtena vyavahāraṃ vicintayet,

Na bhṛtyapakṣapāṭi syāt prajāpakṣaṃ samāśrayet.

–Śukranīti, 1.374-375

mistake repeatedly, the king should insult him before the public and dismiss him forever from his post and should confiscate all the land, property of an inequitable officer.<sup>110</sup>

### 3.7. Dealing with third and fourth class staffs

The king should be more conscious and alert regarding his second, third, and fourth class staff. It can be often observed that the other common staff have no much intellectuality and they see the things in their way and level. A king should never play or jest with his subordinate workers and staffs. These are disrespectful and scary for the king. He should never compromise with his honour and security.<sup>111</sup> There is an enormous list of non-doable works for the king with his servants.

King should not directly involve with his servants and other salaried staff, but he should care for their livelihood, working time, salary, festival holidays, bonus and other appreciable offers and gifts. *Śukranīti* minded all these aspects and released necessary guidance. Any subordinate servant who is continuous working in a particular style and time, his skill and work-experience improve and be able to do that work with more efficiency and comfort. King should increase his payment by observing the improvement in his work, skill, and experience.<sup>112</sup> King should fix the payment of fourth class *Śūdra* staff on the minimum level and give only as much as they can easily survive with their family but never fix the maximum amount, because they misuse the money and waste it on alcoholic and carnivorous activities.<sup>113</sup> Different vantages for the servants like annual holidays on festivals and other

<sup>110</sup> . Prajāśatena sandviṣṭaṃ santyajedadhikāriṇam,

Amātyamapi saṃvīkṣya sakṛdanyāyagāminam.

Ekānte daṇḍayet spaṣṭamabhyāsāpakṛtaṃ tyajet,

Anyāyavartinām rājyaṃ sarvasvañca harenrpaḥ.

–Śukranīti, 1.376-377

<sup>111</sup> . Bhṛtyādyairyanna karttavyāḥ parihāsaśca krīḍanam,

Apamānāspade te tu rājño nityaṃ bhayāvahe.

–Śukranīti, 2.284

<sup>112</sup> . Yathā yathā tu guṇavān bhṛtakastadbhṛtistathā,

Samyojyā tu prayatnena nrpeṇātmahitāya vai.

–Śukranīti, 2.398

<sup>113</sup> . Annācchādanamātrā hi bhṛtiḥ śūdrādiṣu smṛtā,

Tatpāpabhāganyathā syāt poṣako māmsabhojiṣu.

–Śukranīti, 2.401



special days, bonus, pension, payment during health problems, provisions for death on duty, and all necessary provision had described at the end of the second chapter of *Śukranīti*. Five *Ślokas* located at the end of the second chapter of *Śukranīti* draw the attention because of their caste-based provisions. King had suggested that he should appoint only *Brāhmaṇas* in his '*Daśaprakṛti*' (central cabinet of ten members). *Kṣatriyas* could be appointed in this council at the deficiency of first preferred caste. If both castes' candidates are not sufficient or available, the king should look upon the *Vaiśya*<sup>114</sup>, but he never thinks to appoint the *Śūdras* in this council even if they had the capacity and eligibility.<sup>115</sup> Post of revenue collector and administrative post like superintendents executors etc. should be given to the *Kṣatriyas*, village-head should be the *brāhmaṇa* and scribe should be the *Kāyastha*.<sup>116</sup> Toll-tax and sale-tax collectors should be the *Vaiśya*, doorkeeper should be *Śūdra*, head of army troops and other posts should be filled by the *Kṣatriya* candidates or *Brāhmaṇa* at the absence of *Kṣatriya*.<sup>117</sup> King should never appoint a *Vaiśya*, *Śūdra*, or coward person on the post of the army commander, but he should choose a warrior and courageous man belonging from all castes or groups.<sup>118</sup>

These five *Ślokas* and their location in *Śukranīti* create the room for doubts. As we have been observing that *Śukranīti* is giving priority to the quality and talent instead of birth in any caste or group. The first chapter of this text denies the birth based superiority of *Brāhmaṇa*; when the ministerial posts and their qualifications were taking place in the

<sup>114</sup> . Daśa proktāḥ purodhādyā brāhmaṇaḥ sarva eva te,

Abhāve kṣatriyā yojyāstadabhāve tathorujāḥ.

–Śukranīti, 2.426

<sup>115</sup> . Naiva śūdrāstu saṃyojyā guṇavanto'pi pāṭhivaiḥ.

–Śukranīti, 2.427

<sup>116</sup> . Bhāgagrāhī kṣatriyastu sāhasādhipatiśca saḥ,

Grāmapo brāhmaṇo yojyaḥ kāyastho lekhakastathā.

–Śukranīti, 2.428

<sup>117</sup> . Śulkagrāhī tu vaiśyo pratihāraśca pādajaḥ,

Senādhipaḥ kṣatriyastu brāhmaṇastadabhāvataḥ.

–Śukranīti, 2.429

<sup>118</sup> . Na vaiśyo na ca vai śūdraḥ kātaraśca kadācana,

Senāpatiḥ śūra eva yojyaḥ sarvāsu jātiṣu.

–Śukranīti, 2.430

second chapter we find nothing about the birth-based criteria, even it had said there also that only the birth in the elite family is not the parameter of talent.<sup>119</sup>

When the eligibility described, *Śukranīti* kept silence about the birth position of ministers and officers. In the end, even after the derivation of fourth-class staffs, these five *Ślokas* have placed. We saw the other disciplines like epic polity, *dharmasāstra* polity, and others, they all described all type of eligibility criteria at that very place. All these conditions are making the possibility that these five *Ślokas* had added later. Beni Prasad only drew on the attention, but he did not say anything from his side.<sup>120</sup> As Prof. K.P. Jayaswal assumed that currently, available *Śukranīti* is the revised edition and it was edited till 17<sup>th</sup> century A.D.<sup>121</sup>, so it has the possibility that these five *Ślokas* had interpolated at later period.

First two chapters of *Śukranīti* create the structure of the state, structure of government, and other components. Primarily, definitions, characteristics, and duties of all administrative officers and staffs have discussed in these chapters. After full preparation of governance, it starts the common civil code of conducts for every citizen, officials, and even for the king and his family. Duties and responsibilities are described as per the requirement of the discussion in the whole of the text. The third chapter has few political discussion, but its social atmosphere and common bearable duties for every citizen are base of entire political scenario. Some rules and principles are remarkable from the third chapter of *Śukranīti* also because these are very relevant from both; political as same as social point of view.

*Śukranīti* gave a list of ten sins, which connected with the individual as well as public welfare. A responsible citizen should overcome from all these sins and should live a truthful life with all dignity. These ten sins are murder, theft, rape (and other illegal intercourse), backbiting, harsh speeches, heartrending conversations, indecency, atheism, and insurrection.<sup>122</sup> People should cast off these sinful acts. It not only harms the character and

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<sup>119</sup> . *Śukranīti*, 2.53,54,55

<sup>120</sup> . Prasad, Beni, "Theory of Government in Ancient India", pp.253-254

<sup>121</sup> . Jayaswal, K.P., "Hindu Polity", p. 6

<sup>122</sup> . *Himsāsteyānyathākāmapaiśunyaṃ paruṣānṛtam,*  
Sambhinnālāpavyāpādamamithyādṛgviparyayam.

life but also creates social problems. People should never think about murder, but they inform the responsible officers about such crimes. If the citizen of the state cast off these sins and follow the path of good behavior, two third problems will automatically get solved without any effort. If people follow excellent and truthful manner, the governing system will never try to be corrupt. If the system is transparent and uncorrupt, state machinery will smoothly operate the state. Such kind of state always makes progress.

*Śukranīti* also gave the parameters like *Manu* of that state, who is insecure and not habitable. According to *Śukranīti*, if a state is suffering from mutual misconducting behavior among the king, elites, *Brāhmaṇa*, physician, discipline, place, that state is not habitable, and a wise man should never stay there even a single day.<sup>123</sup> A state, where the king is mindless, ministers are biased, intellectuals became corrupt, witnesses are telling a lie, the dominance of women, raff and bad mannered people got increased; a wise man can never think about the safety and security of wealth, respect, home, and secured life.<sup>124</sup> A wise man should never conduct any work or project which is against the folk and society even if that work is favourable according to '*Dharma*.'<sup>125</sup>

A responsible citizen should always attend the royal court of the king. When he regularly visits the king's court, he will be able to know about the officers, condition, and procedure of justice and injustice. He will able to know about a liar and truthful people, how the court decides any judgement on theory and practical level etc.<sup>126</sup> If the teacher comes to kill like

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- Pāpakarmeti daśadhā kāyavān mānasaistyajet. –Śukranīti, 3.6
- <sup>123</sup> . Viruddho yatra nṛpatirdhanikaḥ śrotriyo bhiṣak,  
Ācāraśca tathā deśo na tatra divasaṃ vaset. –Śukranīti, 3.43
- <sup>124</sup> . Avivekī yatra rājā sabhyā yatra tu pākṣikāḥ,  
Sanmārgojjhitavidvāmsaḥ sākṣiṇo'nṛtavādinaḥ.  
Durātmanāṃ ca prābalyaṃ strīṇāṃ nīcajanasya ca,  
Tatra necched dhanam mānam vasatiñcāpi jīvitam. –Śukranīti, 3.45-46
- <sup>125</sup> . Asvargyaṃ syāddharmyamapi lokavidveṣitaṃ tu yat. –Śukranīti, 3.64
- <sup>126</sup> . Kīḍṛśā rājapuruṣā nyāyānyāyaṃ ca kīḍṛśam,  
Mithyāvivādinaḥ ke ca ke vai satyavivādinaḥ.  
Kīḍṛśī vyavahārasya pravṛttiḥ śāstralokataḥ,

a felon, that teacher is destroyable and should kill him without mercy. If two party or people are fighting, a wise man should not be partial for anyone but take the side of justice. King should protect the leader of mass.<sup>127</sup>

#### 4. Foreign policy according to *Śukranīti*

This topic has discussed in the first *prakaraṇa* of the fourth chapter. The discussion carries both aspects; individual level friendship affairs and state level friend and enemy. Since the king has family and state both responsibilities, so these both are useful for him. If we apply this philosophy to our modern Indian scenario, the state has both internal and external enemies. Not only enemies but also friends. The difference is that the territories of present India under a union are not the enemies of each other, but we have many internal conflicts and problems which are enemies of our growth and unity. As we saw in *Mahābhārata*, unity, and unity is only the single path of the republic. The discussion of *Śukranīti* about friends and enemies on the diplomatic level is very useful.

##### 4.1. Definition and cause of hostility

Defining hostility, it has said that when two claimants try to arrogate one thing, or both destroy the desirable things of each other, this situation is the symptom of hostility.<sup>128</sup> This is the cause of hostility between two men or two groups or two nations. This natural law applies to every creature and nation wherever two claimants claim for one thing. From a diplomatic point of view, the Kashmir issue is a perfect example on diplomatic level. The POK (Pakistan occupied Kashmir) is under Pakistan, but India claims that as the part of Union of India. Both nations are claiming the same piece of land. That is why; the hostility regarding Kashmir issue has existed since the independence of both countries.

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Sabhāgamaṇāśīlasya tadvijñānaṃ prajāyate.

–Śukranīti, 3.132-133

<sup>127</sup> . Jighāṃsantaṃ jighāṃsīyād gurumapyātātāyinaṃ,

Kalahe na sahāyaḥ syāt samrakṣed bahunāyakam.

–Śukranīti, 3.160

<sup>128</sup> . Ananyasvatvakāmatvamekasmin viṣaye dvayoḥ,

Vairilakṣaṇametad vānyeṣṭanāśanakāritā.

–Śukranīti, 4.1.5

#### 4.2. Natural laws about diplomatic relations

This aspect had analyzed very intellectually in *Śukranīti*. The principle is, “king (or state) is neither a friend (of any person or neighbor nation), nor it has a friend (on same ground).”<sup>129</sup> Explaining this maxim, *Śukranīti* says that there are many enemies around the king or state. They want to grab the power and authority from the ruling king. Diplomatically, the same thing applies to the state. State also has many enemies who want to destroy its sovereignty and want to occupy.

The enemies of both have hidden antagonism, but they show their artificial amicability. All these are rapacious to grab their targeted king or state. That is why; it is a natural law that king or state has no friend, and both cannot be the friend of anyone. International relations are always based on mutual benefits. If we provide something to any country, we will also expect something in return. Mutual selfishness exists in the core of all such diplomatic relations.

When expected benefits damages by any cause, the other nation evaluate its policy. There are some exceptions also regarding this matter. It is not compulsory at all that all diplomatic or individual relations are based on greed. Doubtless, most of them are artificial friends, but there are some others, who don't expect anything in relations and they establish friendship selflessly.<sup>130</sup> Cultural, social, similarities, and geographical locations sometimes create diplomatic relations on zero greed level of the ground.

Another natural law about diplomacy is ‘natural friends.’ This law applies to an individual as well as state level. Every man or state has five natural friends: intellect, gallantry, dexterity, strength, and patience. A wise man or country only believe in these friends and try

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<sup>129</sup> . Bhavantīti kimāścaryyaṃ rājyalubdhā na te hi kim,

Na rājño vidyate mitraṃ rājā mitraṃ na kasya vai.

–Śukranīti, 4.1.9

<sup>130</sup> . Prāyaḥ kṛtrimamitre te bhavataśca parasparam,

Kecit svabhāvato mitraḥ śatravaḥ santi sarvadā.

–Śukranīti, 4.1.10

to stand on these composite friends.<sup>131</sup> Individually this rule is very easy to understand. When we apply this law on the country level, it emphasizes on the self-improvement.

If a nation is an advance in education, its citizens will be more productive and advanced from all aspects. Gallantry is the second friend. It means the strength with all sense and humanity. Dexterity of nation is also needed a country to establish itself on a global level. Dexterity carries productivity and quality. If we are able to generate it, we can serve our society and the global community.

Force with patience is two friends who are very important to generate and manage. The armed strength keeps away the enemies, and patience protects from non-essential and external disputes. Diplomatic principles are still very useful. *Śukranīti* provides many unique and practical formulas regarding the foreign policy of a state. These rules may be the directive principles for any nation. Ancient India's aspect is widely accepted in all political disciplines. There seems no much confusions or differences on such issues.

### 4.3. The base of foreign policy

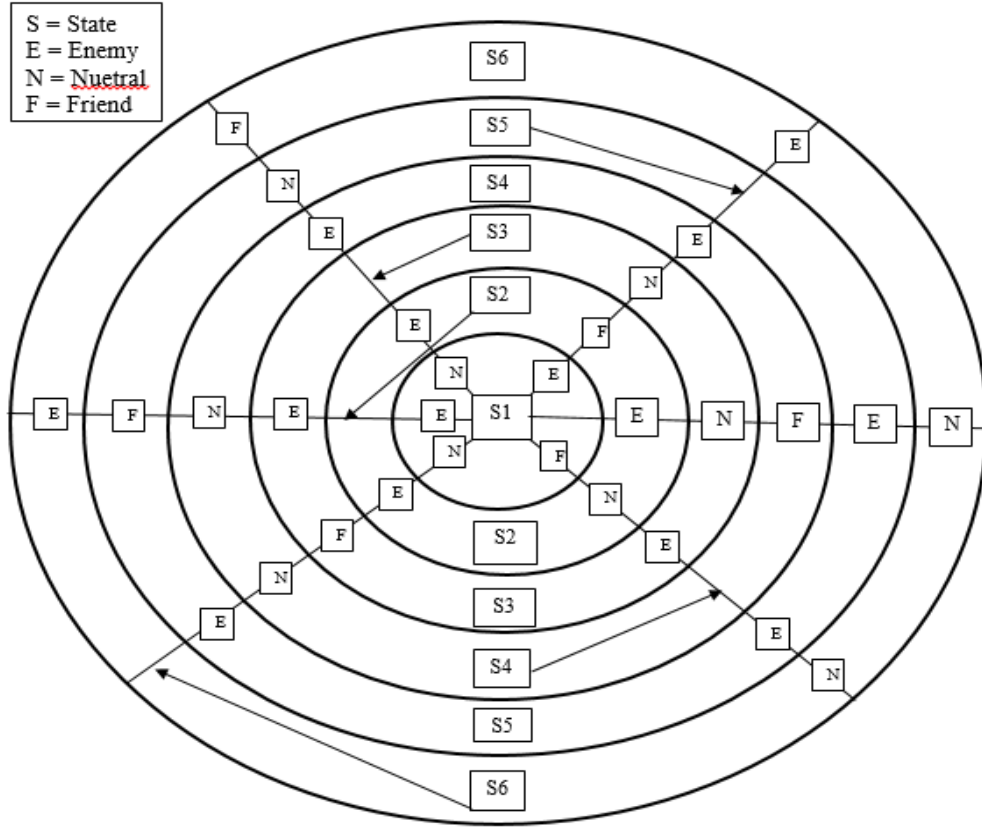
These policies depended on geographical situations. There were many small and large states, kingdoms, republics, and other formed nations existing. Every state had the wish to extend the state boundary by defeating and including his land. This philosophy created many rules and regulation, but all depended upon four pillars of diplomacy. These four pillars are *sāma*, *dāna*, *bheda*, and *daṇḍa*. But before we start a discussion about diplomacy related principles, we should look at the geographical location of the state and its enemies. *Śukranīti* derived the position of enemy, neutral, and friend states are as in the following graph:

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<sup>131</sup> . Vidyā śauryañca dākṣyañca balaṃ dhairyañca pañcamam,

Mitrāṇi sahañyāhurvarttanti hi tairbudhāḥ.

–*Śukranīti*, 4.1.13



Mutual and diplomatic relation of six states has assumed in that graph. For example, if we target the relations of state one (S1), the closest states around that state (S2) will be its natural enemy. The second line of state (S3) will be neutral for state one, but the third round of state line (S4) will be its friend. If we target the relations of state four (S4), state three (S3) and five (S5) will be its natural enemy, state two (S2) and six (S6) take the stand as a neutral state, but state one (S1) will be its friend. This is the blueprint of diplomatic relations of state described by *Śukranīti*. The relations are based on the strength or weakness also. Even this rule applies to the king himself. The nearest officers or servants will be his most harmful enemies if he exploits them.<sup>132</sup>

<sup>132</sup> . Āsamantāccaturdikṣu sannikṣṭāśca ye nṛpāḥ,

Tatparāstatparā ye'nye kramāddhīnabalārayaḥ.

Śatrūdāsīnamitrāṇi kramāt te syustu prākṛtāḥ,

Arimitramudāsīno'nantarastatparaḥ paraḥ.

Now, the four pillars of foreign diplomacy can easily be described. The first step of diplomacy is *Sāma*. When the table of mutual conversation can solve the conflict and able to make the relations favourable with any state, this policy is very useful, and it saves injuries and losses. In this stage, two kings or states negotiate with each other by dialogues. They convince each other for being friends instead of being enemies.<sup>133</sup> If the enemy is more strong and that can occupy entire sovereignty of the state, a wise king should give him gifts and annual taxes or revenue and save his sovereignty; this method called the *Dāna* policy.<sup>134</sup> *Bheda* (policy of dissension) has three steps. First is to the destruction of all resources of enemy, second is to gain the support of another state which is stronger than the enemy state, and third is to actuate neutral state against the enemy state and finally creation of huge dissension among these and destroying the enemy by this method called the *Bheda* policy.<sup>135</sup> *Daṇḍa* (castigation) is the final and last option for complete suppression of the enemy. When all other negotiating options get failed, and the enemy still exists with its strength, a king should declare war against the enemy state and try to destroy them by all phases. Mass robbery by smugglers, destruction of basic resources like crops and grains and creating the fear by successful armed operation and policy is all about the *daṇḍa* policy.<sup>136</sup> These four policies and their implementation is a very decisive factor for a state or king. A wise king should always use all these policies for the sake of the state and its sovereignty.

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Kramaśo vā nṛpā jñeyāścaturdikṣu tathārayaḥ,

Svasamīpatarā bhṛtyā hyamātyadyāśca karṣitāḥ.

–Śukranīti, 4.1.20-22

<sup>133</sup> . Paraspamaniṣṭaṃ na cintanīyaṃ tvayā mayā,

Susāhāyyaṃ hi kartavyaṃ śatrau sāma prakīrtitam.

–Śukranīti, 4.1.32

<sup>134</sup> . Karairvā pramitairgrāmervatsare prabalaṃ ripum,

Toṣayet taddhi dānaṃ syād yathāyogyeṣu śatruṣu.

–Śukranīti, 4.1.33

<sup>135</sup> . Śatrusādhakahīnatvakaraṇāt prabalāśrayāt,

Taddhīnatojjīvanācca śatrubhedanamucyate.

–Śukranīti, 4.1.34

<sup>136</sup> . Dasyubhiḥ pīḍanaṃ śatroḥ karṣaṇaṃ dhanadhānyataḥ,

Tacchidradarśanādugrabalairnītyā prabhīṣaṇaṃ,

Prāptayuddhānivṛttitvaisrāsaṇaṃ daṇḍa ucyate.

–Śukranīti, 4.1.35



The graph mentioned above shows the enemy, friend, and neutral state position but a victorious king should always keep them under his command by any cost or tactics.<sup>137</sup>

#### 4.4. Usage of four policies

Above discussed four policies are just like the four weapons for external relations, but sometimes some of them are useful for the solution of internal conflicts also. At any internal or external conflict, the king should try to solve it by the first policy called *Sāma* because it is the best policy. Table dialogues are the prime solutions for international conflicts or problems, and Ancient India's political tradition appreciate this spirit by putting this policy in the first position. Gifts, donations, and contributions are the second policy. Often a nation releases some financial help to friend country or the invested money for helping them to improve the basic infrastructures. This method is second, and when the table dialogue get failed to solve the problem, the second policy can be useful. If the first two policies became unable to solve the issue, and the enemy is stronger, the third policy is the solution for such problem and challenges. When all these got failed the question of survival rises, a king should break all diplomatic affairs and declare the war against the enemy. This is the fourth and last policy.<sup>138</sup> A diplomatic ruler always utilizes the usages of these four policies. If the enemy is uncontrolled and full of inestimable power, only *Sāma* and *Dāna* can be used by the state. But is the enemy is greater in power only, that can handle with *Sāma* and *Bheda* policy? The Equipoise state can be defeated by *Bheda* and *Daṇḍa*, but if the enemy is feeble, the implication of punishment (*Daṇḍa*) can easily bow down them.<sup>139</sup> It is strict instruction to the king that he never applies the *Bheda* and *Daṇḍa* policy on his faithful friends or friend-nations. Only *Sāma* and *Dāna* are sufficient policies.<sup>140</sup> If the king applies *Daṇḍa* (beyond

<sup>137</sup> . Sarvopāyaistathā kuryyānnītijñāḥ pṛthivīpatiḥ,

Yathā svābhyadhikā na syurmitrodāsīnaśatravaḥ. –Śukranīti, 4.1.37

<sup>138</sup> . Sāmaiva prathamam śreṣṭham dānam tu tadanantaram,

Sarvathā bhedanam śatordaṇḍanam prāṇasaṃśaye. –Śukranīti, 4.1.38

<sup>139</sup> . Prabale'rau sāmādānau sāmabhedo'dhike smṛtau,

Bhedadaṇḍau same kāryau daṇḍaḥ pūjyaḥ prahīnake. –Śukranīti, 4.1.39

<sup>140</sup> . Mitre ca sāmādānau sto na kadā bhedadaṇḍane

–Śukranīti, 4.1.40

the limit) and *Bheda* on his subjects, his kingdom will shrink soonly in the ocean of ruination. So, the king should protect and bring his subject as per their require and make them commendable mode and equal position.<sup>141</sup>

## 5. *Daṇḍa*: Theory of Chastisement

*Daṇḍa* had counted under the four diplomacies. *Śukranīti* derived theories and definition of this term at this place. Repression and chastisements pull out a man from the misconducts. *Daṇḍa* is a medium of repression by whom a criminal or anti-social element get repressed and overcome from bad habits and conducts.<sup>142</sup> Only the king is authorized for implementation of *Daṇḍa*.<sup>143</sup> there is no any authority about this sensitive issue.

### 5.1. Aptness and importance of *Daṇḍa*

*Mahābhārata* and *Manu* both described the concept of *Daṇḍa* as a divine gift to the king for maintaining the social norms and utilize people towards their supreme goal of life. There are many significant about this technical term. *Daṇḍa* and *Daṇḍanīti*, there are two terms, and both have their separate essence. Many scholars fixed the meaning of *Daṇḍa* and described its role in politics and society. *Śukranīti* has taken the literal meaning and clarified the meaning of this term. If we look upon the varieties of *Daṇḍa* described by *Śukranīti*, it will be easy to understand the intention of term. According to *Śukranīti*, physical repression or mental and social insult is the way to execute *Daṇḍa*. Physical repression as beating, lambaste, scarring on body, keeping hungry, amputation, slaughter is physical *Daṇḍa* while, admonishing, affront, fasten, making the criminal cash off, an exile from the city, insulting by fleece the hairs, donkey riding troll in the city are the types of *Daṇḍa*. The last type of *Daṇḍa* is war. War execute as the *Daṇḍa* on the enemy of the state.<sup>144</sup>

<sup>141</sup> . Svaprajādaṇḍabhedaiśca bhavedrājyavināśanam,

Hīnādhikā yathā na syuḥ sadā rakṣyāstathā prajāḥ. –Śukranīti, 4.1.43

<sup>142</sup> . Nivṛttirasadācārād damaanam daṇḍataśca tat,

Yena sandamyate janturupāyo daṇḍa eva saḥ. –Śukranīti, 4.1.44

<sup>143</sup> . Sa upāyo nṛpādhīnaḥ sa sarvasya prabhuryataḥ.

–Śukranīti, 4.1.45

<sup>144</sup> . Nirbhartsanam cāpamāno'naśanam bandhanam tathā,

*Daṇḍa* is the way to rule over the state and keep the people involved in their duties. Fear of penalty establish the subjects in their duties. Neither any weaker person gets harassed, nor any person tells a lie due to the fear of *Daṇḍa*. When the law is strong, and its execution is regular and transparent, it creates a fear within the citizen, and they obey their duties. As we saw that king was generated for the maintenance of social order so that the weaker person can be saved form the atrocity of strong man. This philosophy is the root cause of the origin of kingship, and the king executes this principle through the *Daṇḍa*.<sup>145</sup> *Daṇḍa* originates the mercy in the heart of a cruel man, the wicked people leave the wickedness, even the animals get controlled by *Daṇḍa*, and the spiliators ran away from such kind of state where the policy of *Daṇḍa* strictly executed.<sup>146</sup> Sycophants shut their mouth, oppressors get scared, tax-evaders pay the taxes on time, fearless men also get scared by the fear of *Daṇḍa*. That is why; a king should bear the *Daṇḍa* with all its complete execution in the society and state.<sup>147</sup> Importance and most considerable magnitude of *Daṇḍa* indicates that it is the cause of peace and harmony, and it is the fear for internal and external enemies of the state. It is the backbone of state machinery.

*Śukranīti* widely described the process and steps of *Daṇḍa*. It permits the king to punish his trendshetter if he loses the distinctive sense between doable and non-doable duties, full with over-pride and becomes the wrong tracker.<sup>148</sup> It means, no one is greater than state and Law.

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Tāḍanaṃ dravyaharaṇaṃ purānnirvāsanāṅkane.

Vyastakṣauramasadyānamaṅgacchedo vadhastathā,

Yuddhamete hyupāyāśca daṇḍasyaiva prabhedakāḥ.

–Śukranīti, 4.1.46-47

<sup>145</sup> . Jāyate dharmaniratā prajā daṇḍabhayena ca,

Karotyādharṣaṇaṃ naiva tathā cāsatyabhāṣaṇaṃ.

–Śukranīti, 4.1.48

<sup>146</sup> . Krūrāśca mārdaṃ yānti duṣṭā dauṣṭyaṃ tyajanti ca,

Paśavo'pi vaśaṃ yānti vidravanti ca dasyavaḥ.

–Śukranīti, 4.1.49

<sup>147</sup> . Piśunā mūkatāṃ yānti bhayaṃ yāntyātātāyinaḥ,

Karadāśca bhavantyanye vitrāsaṃ yānti cāpare,

Ato daṇḍadharo nityaṃ syāt nrpo dharmarākṣaṇe.

–Śukranīti, 4.1.50

<sup>148</sup> . Gurorapyavaliptasya kāryyākāryyamajānataḥ,

Utpathapratipannasya kāryyaṃ bhavati śāsanam.

–Śukranīti, 4.1.51

*Śukranīti* does not distinct the criminals on their caste or birth position. King was free for implementation of biasless *Daṇḍa*. Only *Daṇḍa* was the instrument for the king, which can clear all problems and carry out all the welfare goals. *Daṇḍa* is the final shelter for all other *Dharma* like *rājadharma*, *varṇadharmā*, *āśrmadharmā*, etc.<sup>149</sup>

## 5.2. The ultimate sinner king

It is a unique category of the king. *Śukrācārya* derived those conditions when a king becomes the ultimate sinner. It is about to implementation of *Daṇḍa*. When a king punishes an innocent person due to his misunderstanding or due to any bias, but he proves the culprit innocent by his case hearing and leaves him without punishment. When he started exploiting his citizens badly under the guise of *Daṇḍa*, he started losing the faith and sympathy of subjects and system. This kind of king loses everything and fall in the ultimate sin and becomes a *Pātakī rājā* (ultimate sinner).<sup>150</sup>

## 5.3. Morality and Ethics in implementation of *Daṇḍa*

The most sensitive case is morality and moderation in the execution of *Daṇḍa*. If it applies on innocent, it can destroy the entire dynasty of the king, but if it used in a proper and moderated way, it always makes the people happy and establishes the peace and harmony in the society. There are many suggestions and directions in *Śukranīti* regarding this point, but some of them are remarkable here due to their precious relevant in modern society and nation. It became a platitude in contemporary Indian society that innocent always hunted by the law and criminals easily escape with cleverness. ‘Law only exploits the poor, and it respects the sinewy criminal.’ So the view of *Śukranīti* is remarkable here due to these modern conceptions about Law and order.

A ruler never exploits his subjects by the Law. He should make sure that any system or law or procedure can never harm innocent citizens. If a king punishes his innocent and unguilty

<sup>149</sup> . Rājñāṃ sadaṇḍanītyā hi sarve sidhyantyupakramāḥ,

Daṇḍa eva hi dharmāṇāṃ śaraṇaṃ paramaṃ smṛtam.

–Śukranīti, 4.1.52

<sup>150</sup> . Daṇḍyasyādaṇḍanānityamadaṇḍyasya ca daṇḍanāt,

Atidaṇḍacca guṇibhistyajyate pātakī bhavet.

–Śukranīti, 4.1.54

people, all his dignity of the post, fame, wealth and alms-deed get destroyed.<sup>151</sup> Pure, uncorrupted soul of a ruler makes all state happy and harmonious, but a cruel king destroys himself and the state. That is why; it is said that if the king is honest and accountable, his subjects will also be honest and dutiful. But if the king will follow the unrighteous path, his subjects also fall in the mud of corruption, injustice, dishonesty, and unrighteous way.<sup>152</sup> When king applies the chastisement on his citizens, he should always be merciful from his heart but show the hardness from his face. He can show off himself as the strict ruler, but he should always be the positive well-wisher of his subjects. A king should carry two characters at the time of punishment execution. He should look like a strict ruler and never compromise with the dignity of the post, but he should always think the welfare of the state and citizens by his heart. He can use the harsh language, but his all operations and projects should be for the sake of nation and citizens.<sup>153</sup>

A very remarkable principle regarding the execution of daṇḍa is mentionable here. *Śukranīti* prohibits the death penalty for all its citizens except any deadly circumstance. It is said that a ruler can give imprisonment for one, three, six, and twelve months or can give him lifetime imprisonment. King should give him trivial work as punishment, but he should never give a death penalty to anyone.<sup>154</sup> *Śukranīti* did not support the death penalty for any person belonging from any caste, class, or group. We should understand that *Śukranīti* did not ban the death penalty forever. When *Śukranīti* directs such kind of consultation to the king, it means a king should operate his state in a manner and execute the strength of law with honesty and establish the rule of law, so that anybody never thinks about deadly crimes.

<sup>151</sup> . Svaprajādaṇḍanācchreyaḥ katham rājño bhaviṣyati,

Taddaṇḍājāyate kīrttidhanapuṇyavināśanam

–Śukranīti, 4.1.57

<sup>152</sup> . Supuṇyo yatra nṛpatirdharmiṣṭhāstatra hi prajāḥ,

Mahāpāpī yatra rājā tatrādharmaṇo janaḥ.

–Śukranīti, 4.1.62

<sup>153</sup> . Antarmṛdurbahiḥ krūro bhūtvā svām daṇḍayet prajāḥ,

Atyugradaṇḍakalpaḥ syāt svabhāvā hitakāriṇaḥ.

–Śukranīti, 4.1.67

<sup>154</sup> . Nīcakarmakaram kurvyād bandhayitvā tu pāpinam,

Māsamātraṁ trimāsaṁ vā ṣaṇmāsaṁ vāpi vatsaram,

Yāvajjīvaṁ tu vā kaścit na kaścic vadhamarhati.

–Śukranīti, 4.1.92

King should not kill anyone by the Law, but he must kill all the circumstances of serious crimes. He should maintain the law and care for every citizen. His governing system should be very transparent and biasless. When all the people are operated by the Law and king will directly get in touch with his subjects, there would be no such a severe crime take place who coerce the king to sentence the death penalty. *Śukranīti* quotes the spirit of Vedas here and says that “No one should be killed” it is the order of Veda. So, (by respecting this Vedic spirit) a king should try his level best to avoid the death penalty for anyone.<sup>155</sup>

King should not impose heavy financial penalties on the citizens. He always tries to physically assault the criminals but never impose much financial punishment. This act may create an extra burden on the people, and they could be a revolt against these things.<sup>156</sup> The king should ensure one more thing that if the criminal is his citizen and the family of criminal reside within his territory, the king should not punish his helpless parents or dependent persons.<sup>157</sup>

It is true that *Śukranīti* suggested the king avoid the death penalties, but there are some crucial circumstances when a ruler should quickly kill the criminals. This is the condition of sedition. If someone or many people found to be involved in such activity and try to harm the king terribly, state or cabinet by taking together the enemy, the king should immediately slaughter all of them.<sup>158</sup>

These are the main principles related to foreign policy and chastisement. There are many provisions and process of *Daṇḍa* widely described in the first prakaraṇa of the fourth chapter. Major principles and theories only have taken as per the discussion requirement.

<sup>155</sup> . Na nihanyācca bhūtāni tviti jāgartti vai śrutih,

Tasmāt sarvaprayatnena vadhadāṇḍam tyajet nrpaḥ.

–Śukranīti, 4.1.93

<sup>156</sup> . Avarodhād bandhanena tāḍanena ca karṣayet,

Lobhāna karṣayedrājā dhanadaṇḍena vai prajāṃ.

–Śukranīti, 4.1.94

<sup>157</sup> . Nāśahāyāstu pitrādyā daṇḍyāḥ syuraparādhinaḥ,

Kṣamāśīlasya vai rājño daṇḍagrahaṇamīdṛśam.

–Śukranīti, 4.1.95

<sup>158</sup> . Rājño rāṣṭrasya vikṛtiṃ tathā mantrigaṇasya ca,

Iechanti śatrusambandhādye tān hanyāddhi drāṇnrpaḥ

–Śukranīti, 4.1.111

## 6. Financial affairs and principles

The second prakaraṇa of the fourth chapter is 'Kośa Prakaraṇa.' Economic theories and principles have described in this section. Definition of *Kośa* given by *Śukranīti* is as follow:

*Ekārtha samudāyo yaḥ sa kośaḥ syāt pṛthak pṛthak.*<sup>159</sup>

Treasure is an accumulation of one type of goods. It means, there were many treasures at that time, and different types of goods including the coins and precious metals were collected separately. The treasurer of the king was not his own, but it was the property of the state. King was the superior guard of this wealth.

### 6.1. Purpose of treasure

There were three purposes of accumulation of goods and wealth: first was the protection of the army, the second was the protection of subjects and third was the collection of wealth for conducting the sacrifices and rituals. If any king collects the goods beyond these purposes, this action could be harmful and sorrowful for him.<sup>160</sup> Accumulation of wealth only for own family and self-consumption is entirely unethical and such type of kings never get the pleasure from this wealth but fall in terrible hell.<sup>161</sup>

Primarily there are three purposes of wealth accumulation, but the entire state with its governing machinery and citizens get inclusion within three sects. Maintenance of the army is the primary purpose because it was only the army which had a major role in protecting the king in a monarchical system of governance. Strength of the army was also the pointer of strength of king and state. Diplomatic theory of mutual relations among states and the threat of survival created the necessity of a strong army for any sovereign state. Even the citizens got second priority in this list, but the army was the supreme purpose because a strong army can protect the state from both sides; internally and externally.

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<sup>159</sup> . Śukranīti, 4.2.1

<sup>160</sup> . Balaprajāraṣaṇārthaṃ yajñārthaṃ kośasaṅgrahaḥ,  
Paratreha ca sukhado nṛpasyānyaśca duḥkhadaḥ.

–Śukranīti, 4.2.3

<sup>161</sup> . Strīputrārthaṃ kṛto yaśca svopabhogāya kevalam,  
Narakāyaiva sa jñeyo na paratra sukhapradahaḥ.

–Śukranīti, 4.2.4

## 6.2. Moralities and mediums for wealth accumulation

It is an essential aspect of wealth collection. Not only *Śukranīti* but also every political thinker seems worried about the way of wealth accumulation. Unethical money collection was strictly prohibited by the thinkers, and whoever violated this rule, that king lost his authority and state. This rule applies to every individual as well as king. Accumulating the money through unrighteous way is a bad practice, and the devourer get suffered by his sin. Money collected from good people through proper way always carries the prosperity. Donation of wealth to needy people always increase the money.<sup>162</sup>

There are two types of people who collect the wealth; first is '*supātra*' means the man who aqisit the money by his hard work and earns the justified wealth. That is *supātra* or eligible man for taking the tax through a systematic way. The second type of earners are the '*Kupātra*' means the earner has collected the wealth through illegal mediums, and his money is not the fruit of his hard work. Wasting the money in bad way is also a symptom of '*Kupātra*' person. The ruler or state can grab all the black money from a corrupt earner. There is no sin or flaw when a king snatches the money forcefully from money launderers.<sup>163</sup> A king should seize and snatch all the property of corrupt people forcibly or any other way. He should also do the same with his enemy king.<sup>164</sup>

These ways can be applied for the wealth accumulation by the king, but he has to protect his subject and never try to tear out their property in any bad manner. If a king collects the money from his own citizen through exploitation, the accumulated money outflow towards the enemy king with the state.<sup>165</sup> The ruler should apply the justified rate of taxes on his

<sup>162</sup> . Anyāyenārjito yasmād yena tat pāpabhāk ca saḥ,

Supātrato grhītaṃ yad dattaṃ vā varddhate ca tat. –Śukranīti, 4.2.5

<sup>163</sup> . Svāgamī sadvyayī pātramapātraṃ viparītakam,

Apātrasya haret sarvaṃ dhanam rājā na doṣabhāk. –Śukranīti, 4.2.6

<sup>164</sup> . Adharmaśīlāt nṛpatiḥ sarvaśaḥ saṃhareddhanam,

Chalād balād dasyuvṛtyā pararāṣṭrāddharet tathā. –Śukranīti, 4.2.7

<sup>165</sup> . Tyaktvā nītibalaṃ svīyaprajāpīdanato dhanam,

Sañcītaṃ yena tattasya sarājyaṃ śatrusādbhavet. –Śukranīti, 4.2.8



subject. He should create justified tax sources. He should never fill his treasure by imposing heavy penalties, unbearable revenue and toll taxes, tax on pilgrimage, etc. but he can raise the bar from all these unethical ways of tax collection at the time of emergency or crisis.<sup>166</sup>

### 6.3. Three categories of Kings and wealth

Style and technique for tax collection is the distinctive line among three types of kings. Methods of wealth accumulation created these categories. First is the royal category where a king collects the wealth like a gardener. The garland-man plants the florals and cares them till they become able to give flowers. When the flowers blossom, he plucks the flowers carefully without harming the tree or branches. Same as the gardener, an excellent king collects the wealth and taxes. He never harm the people or never wrecks the source of money. This king mostly depends on taxes from his controlled enemy and less on his people. The second category of the king is an average category where the king acts like the businessman. His primary focus is not the money but less concentration on the source of money. Third category king collects the money from services, penalties, implementation of taxes on pilgrimage and temples, etc.<sup>167</sup>

Accumulated wealth in the treasure of the king also has three categories. If the wealth can feed until twelve years, that is the lowest category of wealth. If it can protect the consumers till sixteen years, it is the medium category, but if the treasure can protect the family until thirty years, that is the excellent category of wealth.<sup>168</sup>

<sup>166</sup> . Daṇḍabhūbhāgaśulkānāmādhikyāt kośavarddhanam,

Anāpadi na kurvīt tīrthadevakaragrahāt.

–Śukranīti, 4.2.9

<sup>167</sup> . Mālākārasya vṛtṭyaiva svaprajāraṅgaṇena ca,

Śatruṃ hi karadīkrṭya taddhanaiḥ kośavarddhanam.

Karoti sa nṛpaśreṣṭho madhyamo vaiśyavṛttitāḥ,

Adhamāḥ sevayā daṇḍatīrthadevakaragrahaiḥ.

–Śukranīti, 4.2.18-19

<sup>168</sup> . Dvādaśābdaprapūraṃ yaddhanam tannīcasamjñakam,

Paryāptam ṣoḍaśābdānām madhyamaṃ taddhanam smṛtam,

Trīśābdaprapūraṃ yat kuṭumbasyottamaṃ dhanam.

–Śukranīti, 4.2.22

Protection of accumulated wealth is the prime responsibility of a king. He should preserve the treasure with all effort because as much amount of hardship occurs in wealth accumulation, four times more hardship occurs in its protection.<sup>169</sup>

These are some basic and introductory principles regarding the treasure. The well-established and rich treasure was the actual strength of the state. Purpose of state treasure is to the protection of the army, citizen, and sacrifices. Way of accumulation and its protection should be the prime responsibility of the king. There is some interesting specialty in the financial theory section of *Śukranīti*. Study of this text shows that everybody was the taxpayer in ancient Indian monarchical system. Farmers, artists, architects, craftsmen, small shopkeepers, medium category businessmen, commercial sectors, the corporate lobby of businessman and productive workers were paying the taxes. Those people, who were artisans or architects or another worker, they were directed to work for the king at free of cost as the tax. The rate of tax was not fixed, but it was negotiable as per the nature and capacity of production. Direction for the king was to ensure the protection of all productive classes and categories.

#### **6.4. *Jamīndārī* tradition: The land ownership**

This very famous tradition related to the tax on crops and other agricultural production. We find a clear notion of this tradition in *Śukranīti*. During the rulemaking regarding rural tax collection, the king is suggested that he should appoint a rich representative from that village for the accumulation of agricultural revenue. King should give him whole agricultural land to that rich man and fix the amount of revenue. He will collect all revenue from the entire village and collectively entrust it to the king.<sup>170</sup> Toll-taxes also occurred till that time, and

<sup>169</sup> . Saṃrakṣayet prayatnena saṅgrhītaṃ dhanādīkam,

Ārjane tu mahad duḥkhaṃ rakṣaṇe taccaturguṇam.

–Śukranīti, 4.2.32

<sup>170</sup> . Dadyāt pratikarṣakāya bhāgapatraṃ svacihnitam,

Niyamya grāmahūbhāgamekasmād dhanikāddharet.

Grhītvā tatpratibhavaṃ dhanam prāk tatsamaṃ tu vā,

Vibhāgaśo grhītvāpi māsi māsi ṛtau ṛtau.

–Śukranīti, 4.2.124-125

every passenger was directed to pay the tax. This money was used for maintenance of the state ways and inn.<sup>171</sup>

### 7. Principles of *Rāṣṭra*

The third *prakaraṇa* discusses *Rāṣṭra*. The word '*Rāṣṭra*' denotes all movable and immovable components.<sup>172</sup> When a particular area containing these two components come under the ruling of a king, these become his territory and known as his '*Rāṣṭra*.' There are some essential features in this definition. Śukrācārya only used the two terms, movable (*jaṅgaṃ*) and immovable (*sthāvara*). It is the base of *Rāṣṭra*, and these two terms include all portable things like human, animals, rivers, air, birds, and all other movable things as well as immovable things like the mountains, lands, mines, fields, etc. Now, a man occupies the particular area, and he declares it as his state or nation. Derived definition of *Rāṣṭra* is very vast. It also means that a king is not only the king of human beings but also for all living and non-living, movable and immovable things. All the heaven and hell for the king exist in this physical world. If his conduct is pure and accountable, he honestly follows the path of duty and welfare policy and his all subjects obey their duties like him, such type of king gets the fame and success for a long time.<sup>173</sup> There is heaven in his state for such type of ruler because his name and fame become eternal, and it exists until the folk exists.<sup>174</sup> Ignominy is the hell for a king, and it also exists in this folk. There is no other hell in the sky also because every birth is the hell except the birth in the human race.<sup>175</sup>

The political discussion on *Rāṣṭra* includes the society, social orders, customs, duties, education, arts, etc. as per the study of Śukranīti reflects. That is why; it is the expected from the king that he should know all customs and norms, all types of *Dharma* like *Deśadharmā*,

<sup>171</sup> . Mārgasaṃskāraṅgārakṣārthaṃ mārgagebhyo haret phalam. –Śukranīti, 4.2.129

<sup>172</sup> . Sthāvaram jaṅgamañcāpi rāṣṭraśabdena gīyate. –Śukranīti, 4.3.1

<sup>173</sup> . Svasvadharmaparo loko yasya rāṣṭre pravarttate,  
Dharmanītiparo rājā ciraṃ kīrttiṃ sa cāśnute. –Śukranīti, 4.3.6

<sup>174</sup> . Bhūmau yāvad yasya kīrttiṣṭāvāt svarge sa tiṣṭhati. –Śukranīti, 4.3.7

<sup>175</sup> . Akīrttireva narako nānyo'sti narako divi,  
Naradehād vinā tvanyo deho naraka eva saḥ. –Śukranīti, 4.3.8

*Jātidharma, Kuladharmā, Dharmā* described by the hermits, all old and latest eternal duties.<sup>176</sup>

### 7.1. Origin and Variety of Castes

Caste has two dimensions in *Śukranīti*. First is the category of human being and second is the variety of all species. The first caste had four kinds, created by *Brahmā*. These were created according to work (or occupation), but uncountable castes and sub-castes occurred through intermixture between all castes through *Anuloma* (high varṇa male and lower varṇa female) and *Pratiloma* (high varṇa female and lower varṇa male) marriages.<sup>177</sup> This theory has occurred since the Vedic period. This theory of social expansion has widely been accepted by all *Sanātana* discipline of knowledge. When the process of intermixing became started, many sub-societies came into existence, which was unacceptable at first sight by the pureblood castes. This negativity generated many new social groups, and the number became uncountable till *Śukranīti*.

Origin of caste had not described as a theory in *Śukranīti*. Caste is associated with the arts here. *Śukranīti* has given the huge list of 64 arts.<sup>178</sup> These arts were the livelihood of particular communities. Caste of any people was known by his art based occupation. A man should follow the occupational tradition of his forefathers and perform those occupational duties. If he leaves his caste-based occupation and tries to adopt other's occupation, the king should punish him and re-engage him in his duty.<sup>179</sup>

<sup>176</sup> . Deśadharmā jātidharmāḥ kuladharmāḥ sanātanaḥ,

Muniproktāśca ye dharmāḥ prācīnā nūtanāśca ye.

–Śukranīti, 4.3.10

<sup>177</sup> . Caturdhā bheditā jātirbrahmaṇā karmabhiḥ purā,

Tattatsānkaryāsānkaryyāt pratilomānulomataḥ,

Jātyānantyantu samprāptaṃ tadvaktuṃ naiva śakyate.

–Śukranīti, 4.3.12

<sup>178</sup> . Śukranīti, 4.3.67-99

<sup>179</sup> . Svasvajātyuktadharmo yaḥ pūrvairācaritaḥ sadā,

Tamācarecca sā jātirdaṇḍyā syādanyathā nṛpaiḥ.

–Śukranīti, 4.4.39

The second variety of caste is based on species. Entire species and creature can be divided into four categories, according to *Śukranīti*. These four are *Jarāyuja* (born of the foetus),<sup>180</sup> *Aṇḍaja* (born from eggs),<sup>181</sup> *swedaja* (born from drops of perspiration)<sup>182</sup> and *Udbhija* (plants).<sup>183</sup> These four categories are the eternal categories of all creatures of this planet. There are lacks or crores of species and variants within a single category. *Śukranīti* gave equal place and reputation to everyone. Because the balanced presence of every species is the necessity of this globe. The second clause of the stanza said that the virtuous character man becomes the bad mannered if he associates himself with an abject man.<sup>184</sup>

*Śukranīti* carries both aspects; the social and philosophical. Stanza mentioned above says about the variety of species, but the second part describes the dimensions of consistency.

Duties of four varṇa are described here also but in the same manner like previous texts. *Brāhmaṇa* was directed to conduct the sacrifices, study, and contribution. These duties are for all *dvija*, but *Brāhmaṇa* has three more duties, and those are the sacrifice by his self, teaching and taking the donation.<sup>185</sup> Creation of *Kṣatriya* was for the protection of innocents, destruction of wicked, and accumulation of taxes for his livelihood. *Vaiśya* were bearing the responsibility of agriculture, cattle breeding, and commercial affairs.<sup>186</sup>

At the discussion regarding the occupation of all varṇa, *Śukrācārya* gives the opinion of *Manu* here. He said, “Separate and different types of uninterrupted occupations have been described for every *varṇa* for their livelihood. *Manu* etc. sociologists have allowed the

<sup>180</sup> . Sarkar, B.K., “The *Śukranīti*”, p. 151

<sup>181</sup> . Ibid.

<sup>182</sup> . Ibid.

<sup>183</sup> . Ibid.

<sup>184</sup> . Jarāyujāṇḍajā svedodbhijjā jātiḥ susaṅgrahāt,

Uttamo nīcasamṣargād bhavennīcastu janmanā.

–*Śukranīti*, 4.3.14

<sup>185</sup> . Ijyādhyayanadānāni karmāṇi tu dvijanmanām,

Pratigraho'dhyāpanaṅca yājanam brāhmaṇo'dhikam.

–*Śukranīti*, 4.3.16

<sup>186</sup> . Sadrakṣaṇam duṣṭanāśaḥ svāmśādānantu kṣatriye,

Kṛṣigoguptivāṇijyamadhikantu viśāṃ smṛtam.

–*Śukranīti*, 4.3.17

agriculture for *Brāhmaṇa* also by the distinction of ploughs.<sup>187</sup> Means, agriculture is allowed for every varṇa. *Brāhmaṇa* can do agriculture. But the number of ploughs used during the cultivation of land and the number of bullocks will decide their supremacy. It is the essence of *Manu's* law. *Śukranīti* explained it as *Brāhmaṇa* should use the sixteen bullocks during the cultivation and remaining three varṇa will use per step four less number of bullocks respectively. It means the kṣatriya can use twelve bullocks, Vaiśya can eight bullocks, and *Śūdra* can use four bullocks in his plough. The '*Antyaja*' can use only two bullocks for cultivation.<sup>188</sup> *Antyaja* is a community excluded from varṇa order, and it had been situated at the lowest position. *Yama* defined the *antyaaja*.<sup>189</sup> The social order and occupation based caste identity has established until the time of *Śukranīti*. Thirty-two *Vidyā* (disciplines of knowledge) and sixty-four *Kalā* (occupations based arts) have given in this *prakaraṇa*. *Rāṣṭra* was the composition of all these communities, and *Śukranīti* had given the respect and space for all its citizens. King was advised to protect all the artists, farmers, entrepreneurs, craftsmen, etc. Even all the disciplines of knowledge, animals, birds, floras, faunas are protectable by the state because *Śukranīti* believes that every alphabet contains a formula, every flora and fauna has the medicinal property, and every man has unique eligibility. All these are useful, but the utilizer of all these qualities is hard-to-find.<sup>190</sup>

## 7.2. Lokadharmā: Civil code for citizen

The fourth *prakaraṇa* describes the rules and regulations for all its citizens. Social harmony and peace among the people is the base of development and growth of a state. *Śukranīti*

<sup>187</sup> . Kriyābhedaistu sarveṣāṃ bhṛtivrṭtiraninditā,

Sīrabhedaiḥ kṛṣiḥ proktā manvādyairbrāhmaṇādiṣu. –Śukranīti, 4.3.19

<sup>188</sup> . Brāhmaṇaiḥ ṣoḍaśagaṇaṃ caturūnaṃ yathā paraiḥ,

Dvigavaṃ vāntyajaiḥ sīraṃ dṛṣtvā bhūmārdavaṃ tathā. –Śukranīti, 4.3.20

<sup>189</sup> . Rajakaścarmakāraśca naṭo varuḍa eva ca,

Kaivarttabhedabhillaśca saptaita antyajāḥ smṛtāḥ. –Mishra, J.C., “Śukranītiḥ”, p. 520

<sup>190</sup> . Amantryamakṣaraṃ nāsti nāsti mūlamanaṣadham,

Ayogyaḥ puruṣo nāsti yojakastatra durlabhaḥ. –Śukranīti, 2.126

followed this principle and derived the civil codes. All feature is almost the same as the tradition, but some unique and latest provisions are remarkable here.

The role of the king was only to engage the people on their social duties and responsibilities. He was directed to care about the needs and problems of the common citizens. All four varṇa had their separate works and occupations, and the king was advised to maintain this order. If any man violates this rule, the king should punish him and re-engage him in his profession and occupation.<sup>191</sup>

### 7.3. Duties of Women and Śūdra

Both had only one duty, and that was to service of their proprietors. Sacrifices, pilgrimage tours, mantra-chanting, and renunciation was prohibited for both of them.<sup>192</sup> After this rule, the daily routine of women has described. The essence is that they were not allowed to operate the external work and their only duty was to maintain the home, cooking, cleaning, manage the home decoration, and all other domestic works were for the women. There is an interesting provision regarding the duties of women. All restrictions for women were not working on every varṇa or caste. These rules were only or *Dvija* women. *Śukranīti* allows some lower caste women to help their males in their agricultural occupations, business or external jobs.<sup>193</sup>

A symptom of 'Sati' tradition seems in *Śukranīti*, but it was optional and not compulsory. After the death of the husband, the wife had two options; either she follows the soul of her dead husband, leave this world and live in the immortal world with her husband, or she can choose the life. Life of a widow should be achromatic and without any joy like a bachelor.<sup>194</sup>

<sup>191</sup> . Varttayantyanyathā daṇḍyā yā varṇāśramajātayaḥ. –Śukranīti, 4.4.3

<sup>192</sup> . Japaṃ tapastīrthasevāṃ pravrajyāṃ mantrasādhanam,  
Devapūjāṃ naiva kuryāt strīśūdrastu patiṃ vinā,  
Na vidyate pṛthak strīṇāṃ trivargavidhisādhanam. –Śukranīti, 4.4.5

<sup>193</sup> . Dvijastrīṇāmayāṃ dharmmaḥ prāyo'nyāsāmapīṣyate,  
Kṛṣipanyādipuṅkṛtye bhavēyustāḥ prasādhikāḥ. –Śukranīti, 4.4.26

<sup>194</sup> . Mṛte bhartari saṅgacched bhartturvā pālayed vratam,  
Paraveśmarucirna syād brahmacarye sthitā safī. –Śukranīti, 4.4.28

*Śūdra* was prohibited from all the religious rituals and sacrifices, and he could not perform like the *dvija*, but it was the truth that he was also a member of *varṇa*-system. Because of being under the *varṇa* system, his basic right of worship could not be denied. This logic created the room for the worship of God by the *Śūdra*. Finally, the provision was added in *Śukranīti* that a *Śūdra* could perform the worship of Gods through the *Purāṇic* stanzas by adding the word '*Namaḥ*' at the end of those stanzas. Vedic mantra, *svadhā*, *svāhā*, and *vaṣaṭkāra* and other Vedic terms were not allowed for him.<sup>195</sup>

Women and *Śūdra* have referred by *Śukranīti* jointly. It has not happened the first time, but all prohibitive provisions for both had derived jointly. These rules had been changing as per the atmosphere of society. Women have two classes; the elite (*dvija*) women and *Śūdrā* women. Both had some difference according to their profession. *Dvija* women were utterly prohibited from out-of-home responsibilities but *Śūdrā* and other women whoever belonging from agricultural, trade, pisciculture, marketing, and hunting occupational castes, were allowed to help their husbands and other males in the fields, markets, and other public places.

#### 7.4. Society and Social Harmony

Four *varṇa* were the prime society, but there were many half-bred communities also existing in society. All were living together, but their caste-wise group of houses and areas were separating within the town or villages. Migrated foreign communities were also living with these people. Their areas were separate from mainstream people. It is said that *Brāhmaṇa*, *Kṣatriya*, *Vaiśya*, *Śūdra*, and other hybrid communities were living at one side. The *Yavana* and *Vedabhinna* (Greeks and Muslims)<sup>196</sup> were living at another side.<sup>197</sup> *Yavana* religious

<sup>195</sup> . Śūdro varṇaścaturtho'pi varṇatvād dharmamarhati,

Vedamantrasvadhāsvāhāvaṣaṭkārādibhirvinā,

Purāṇādyuktamantraisca namo'ntaiḥ karma kevalam.

–Śukranīti, 4.4.32

<sup>196</sup> . Mishra, J.C., “Śukranītiḥ”, p. 565

<sup>197</sup> . Sasaṅkaracaturvarṇāṃ ekatraikatra yāvanāḥ,

Vedabhinnapramāṇāste pratyuguttaravāsinaḥ.

–Śukranīti, 4.4.35



priests created their holy texts. They have described the conducts and rules for folk-behaviour according to their faith.<sup>198</sup>

Society seems inclusive, and local citizens have adopted the migrated and foreign races within their villages and cities. All were living peacefully. Their caste-wise residents were constructed queued. Temples or community priest's home were situated at the starting of these house-rows.<sup>199</sup>

*Śukranīti* seems conscious of environmental purity. Plantation around the villages and forests have been described in this section. Remedies for recovering the trees and their increasing fruit productivity is also derived. List of plantable trees within and around the village have given.<sup>200</sup> King should construct the wells, step-wells, ponds, reservoirs, etc. for public convenience. Bridge over the rivers and boating was also directed to the king.

Sculpture establishment in the villages, towns, and cities seems like a common tradition. *Śukranīti* widely describes the iconoclastic arts. One hundred and forty-one *Ślokas* have this huge discussion. Variety, height, colour, emotions, and all other statue related theories have widely described here. At last, it is directed that the king should protect all the ongoing public functions in his territory. He should be happy in the happiness and his subject and should feel the sorrow when his state goes through any difficulty or sorrow.<sup>201</sup> The fourth *prakaraṇa* ends with this advice, and the *Rājadharmānirūpaṇa prakaraṇa* starts.

### 8. Judicial Principles and criminal procedure of *Śukranīti*

It has separate importance in *Śukranīti*. Fifth sub-chapter of the fourth chapter has all judicial discussions, theories, and principles under the *Rājadharmā Prakaraṇa*. The criminal procedure needs when any conflict raises before the king, and he conducts a proper process

<sup>198</sup> . Tadācāryyaiśca tacchāstraṃ nirmitaṃ taddhitārtham,

Vyavahārāya yā nītirubhayoravivādinī.

–*Śukranīti*, 4.4.36

<sup>199</sup> . Yajjātipūjyo yo devastadvidyāyāśca yo guruḥ,

Tadālayāni tājātigrhapaṅktimukhe nyaset.

–*Śukranīti*, 4.4.62

<sup>200</sup> . *Śukranīti*, 4.4.46-59

<sup>201</sup> . Prajābhirvidhṛtā ye ye hyutsavāstāṃśca pālayet,

Prajānandena santuṣyet tadduḥkhaīduḥkhitō bhavet.

–*Śukranīti*, 4.4.205

for securing justice. This way of handling the challenges and internal conflicts never let the people autocratic, and such kind of subject always is ready to follow its king<sup>202</sup> and making available the desired goal to the citizen through justice is the real public observance.<sup>203</sup>

### 8.1. Definition of *Vyavahāra* (trial)

The judicial procedure generally called the case or trial in English, but it known as the '*Vyavahāra*' in Sanskrit language. There are three aspects of the '*vyavahāra*' according to *Śukranīti*; first is the systematic analysis of truth and untruth, second is to achieve an accurate judgement through the process, and third is to establish and operate the subjects on the path of dharma. The way through which these three elements accomplished together that is called the '*Vyavahāra*'.<sup>204</sup> This technical term has used in Sanskrit literature not only for judgement but also for every procedure. This procedure's aim was not just to deliver a judgement but secure the justice by distracting the truth and false, creating the line between honesty and dishonesty.

*Vyavahārapada* is the condition when a case gets filed on the complaint of the victim. If somebody behaves against the conducts of *Dharmasaṃhitā* and his behavior becomes oppression for the victim, he can appeal for justice before the lower judge or community jury or the king as per the nature of the harassment. When the victim claims justice against his victimization, it called the *Vyavahārapada*.<sup>205</sup>

There are four stages of any *vyavahāra*; first is the '*Abhiyoga*' means the complaint and registrations of the case against the culprit by the victim. When his complaint gets filed and case hearing starts, the beginning is called the 'operation of *abhiyoga*.'

<sup>202</sup> . Duṣṭanigrahaṇaṃ kuryād vyavahārānudarśanaḥ,

Svājñāyā varttituṃ śaktā svādhīnā ca sadā prajā.

–Śukranīti, 4.5.1

<sup>203</sup> . Iṣṭasampādanaṃ nyāyayaṃ prajānāṃ pālanaṃ hi tat.

–Śukranīti, 4.5.2

<sup>204</sup> . Svaprajādharmmasamsthānaṃ sadasatpravacārataḥ,

Jāyate cārthasamsiddhirvyavahāraṣṭu yena saḥ.

–Śukranīti, 4.5.4

<sup>205</sup> . Smṛtyācāravyapetena mārgenādharṣitaḥ paraḥ,

Āvedayati cedrājñe vyavahārapadaṃ hi tat.

–Śukranīti, 4.5.68

The second stage is *Uttara*, which means the culprit put his/her clarification before the court. The third stage of the case is a process of analysis, means when both parties put their claim and answer, now it is the stage where jury analyze both aspects of the case and start the journey to reach on truth and justice.

Fourth and last stage is '*Nirṇaya*,' the judgement after all the process, the jury put its judgement whatever the evidence proves.<sup>206</sup>

## 8.2. Structure of Court and Jury

King's court was the apex court, the king was the chief justice of his state, but he was not allowed to deliver any judgement without discussion and analysis. For this purpose, an upper ranked jury was constructed for his help. King was the chief of this jury, but the consensus of all members was necessary. King was directed that he should get free from anger, greed and bias, take together the four jury members; *Prāḍvivāk*, *Āmātya*, *Brāhmaṇa*, and *Purohita* then sit on the supreme throne of justice and see the *vyavahāra* respectively.<sup>207</sup>

Making any judgement without the consultation of *sabhāsada* was strictly prohibited. Such an act of king can destroy him and the subjects, even the fear of the enemy gets increased by such injustice way.<sup>208</sup> If the king is unable to chair the jurisprudence, he can appoint a *Brāhmaṇa* expert for hearing the cases. That *brāhmaṇa* should be expert in Vedic studies, humble, elite, crossbench, peaceful mind, established, cowardly of the immortal world, religious, diligent, and angerless.<sup>209</sup> *Kṣatriya* or *Vaiśya* can bear this responsibility if the

<sup>206</sup> . Pūrvapakṣaḥ smṛtaḥ pādo dvitīyaścottarātmakaḥ,

Kriyāpādastrīyastu caturtho nirṇayābhidhaḥ.

–Śukranīti, 4.5.153

<sup>207</sup> . Dharmmaśāstrānusāreṇa krodhalobhavivarjitaḥ,

Saprāḍvivākaḥ sāmātyaḥ sabrāhmaṇapurohitaḥ,

Samāhitamatiḥ paśyed vyavahārānukramāt.

–Śukranīti, 4.5.5

<sup>208</sup> . Asvargyā lokanāśāya parānīkabhayāvahā,

Āyurvījahaṛī rājñāmasti vākye svayaṃ kṛtiḥ.

–Śukranīti, 4.5.10

<sup>209</sup> . Yadā na kuryānṛpatiḥ svayaṃ kāryyavinirṇayam,

Tadā tatra niyuñjīta brāhmaṇaṃ vedapāragam.

Dāntaṃ kulīnaṃ madhyasthamanudvegakaraṃ sthiram,

*Brāhmaṇa* is also not available, but the eligibility should be same as *brāhmaṇa*, but a *Śūdra* can never be the representative of the king at the apex court.<sup>210</sup> After King and his impartial jury, there was a council of *Sabhāsada*, which was the witness of the court proceeding, and the king appointed it. There was no caste eligibility<sup>211</sup> for *Sabhāsada*, but the quality was very important. They should be the expert in legal studies, experts in other disciplines, characterful, elegant, etc. Some lower communities were directed that they should solve their internal and community based legal or non-legal conflicts in their society through the community assembly. These are the farmers, carpenters, handicraftmen, moneylenders, trade unions, dancer communities, *Liṅgī* community, and banditries who were instructed to solve their matters in their community assemblies.<sup>212</sup> Appointed or non-appointed, but if any person who is in the judicial assembly and is the legal expert, he can put his logic before the court. Such kind of people are always virtuous, and their speeches contain immortality.<sup>213</sup> Judicial tribunals have three steps in *Śukranīti*. King can appoint as judicator for dealing with the cases coming in *Kula*, *Śreṇī*, and *Gaṇa* level except for the robbery type serious cases.<sup>214</sup> If the matter cannot be solved in the kula assembly, it considered in the *Śreṇī* assembly but is it get failed to solve at that also, and then pass it to the assembly of *Gaṇa*. In a state of indecision, finally it should be carried in the apex court, and that is the court of the king.<sup>215</sup>

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- Paratra bhīruṃ dharmiṣṭhamudyuktaṃ krodhavarjitam. –Śukranīti, 4.5.12-13
- <sup>210</sup> . Yadā vipro na vidvān syāt kṣatriyaṃ tatra yojayet,  
Vaiśyaṃ vā dharmasāstrajñam śūdraṃ yatnena varjayet. –Śukranīti, 4.5.14
- <sup>211</sup> . Rājñā niyojitavyāste sabhyāḥ sarvāsu jātiṣu. –Śukranīti, 4.5.17
- <sup>212</sup> . Kīnāsāḥ kārukāḥ śilpikuśīdasreṇinarttakāḥ,  
Liṅginastaskarāḥ kuryyuh svena dharmeṇa nirṇayam. –Śukranīti, 4.5.18
- <sup>213</sup> . Aniyukto niyukto vā dharmajño vaktumarhati,  
Daivīm vācam sa vadati yaḥ sāstramupajīvati. –Śukranīti, 4.5.28
- <sup>214</sup> . Rājñā ye viditāḥ samyak kulaśreṇigaṇādayaḥ,  
Sāhasasteyavarjyāni kuryyuh kāryāni te nr̥ṇām. –Śukranīti, 4.5.30
- <sup>215</sup> . Vicāryaṃ śreṇibhiḥ kāryaṃ kulairyanna vicāritam,  
Gaṇaiśca śreṇyavijñātaṃ niyuktakaiḥ. –Śukranīti, 4.5.31

### 8.3. Eligibility of the Judge

Expert of only one discipline is not enough to be the judge. King should appoint a man on this post who has the expertise in all disciplines, and his character should be very virtuous. Only such kind of wise man can be the '*Abhiyoganirṇāyaka*' means the judge.<sup>216</sup> *Śukrācārya* did not mention any caste or class here for the post of justice.

### 8.4. *Dharmādhikaraṇaḥ*: Seat of justice

The court or the seat of justice is the place all the property related matters, honor-related matters, physical violence related matters, etc. means the '*Artha*' related matters get discussed by the methodology and parameters of *Dharmaśāstra*. Even the identification of criminal and process to arrive on the truth also based on *Dharmaśāstra*. Where these both become base of justice, and it secured between the witness and victim, that place called the '*Dharmādhikaraṇa*' or the court.<sup>217</sup> The court is the holy place where the dharma gets shelter, where the common people can put his trust and faith for justice. It is not only holy but also the last hope of common people. A desirable king should enter into the campus of the court with all his polite manner with his priest *Brāhmaṇa* and ministers.<sup>218</sup>

After all these basic and necessary rules and directions, *Śukranīti* widely describes the procedure of court case. Some principles regarding the criminal procedure are remarkable as per the requirement of the study.

### 8.5. Justice according to three parameters

King should secure justice according to three directions, and he should never try to cross these parameters; otherwise, the subject of the state will get indignant. These are the

<sup>216</sup> . Ekam śāstramadhīyāno na vindyāt kāryyanirṇayam,

Tasmād bahvāgamaḥ kāryyo vivādeṣūttamo nṛpaiḥ.

–Śukranīti, 4.5.34

<sup>217</sup> . Dharmaśāstrānusāreṇa hyarthaśāstravivecanam,

Yatrādhikriyate sthāne dharmādhikaraṇam hi tat.

–Śukranīti, 4.5.44

<sup>218</sup> . Vyavahārān didṛkṣustu brāhmaṇaiḥ saha pārthivaḥ,

Mantrajñairmantribhiścaiva vinītaḥ praviśet sabhām.

–Śukranīti, 4.5.45

*Deśadharmā, Jātidharmā, and Kuladharmā.*<sup>219</sup> Sometimes all these three barriers work together, and the king has to secure justice according to them, but sometimes one of them or two of them work. For example, the *Brāhmaṇa* of the southern region can marry their first cousin on the mother's side. Potter and craftsman of the middle region eat the beef.<sup>220</sup> Regional and caste-based parameters imply here. Northern region communities are eating the fish (though it is against the norms), women are adulteress and groggy. Males touch their females during their menstruation (all these prohibited in *dharmasāstras*).<sup>221</sup>

*Śukranīti* gives another example in favour of its rule. *Khaśa* is a mountain dweller community located somewhere in the northern region.<sup>222</sup> They are *Śūdra*<sup>223</sup>, and they can marry the widow of their brother.<sup>224</sup> All these six communities from six different regions have their tradition of food habit, life rituals, and others and all these prohibited in *Dharmasāstra* and other disciplines, but they are living with those norms, and they are happy with their habits.

A king should never punish these communities for their traditional habits, and he should respect these norms during the criminal procedure. King should make sure that these rules and their bearers follow their duties and live in their habit but let the people not pollute each other's dharma. It is the duty of the king.<sup>225</sup>

<sup>219</sup> . Deśajātikulānām ca ye dharmāḥ prāk pravarttitāḥ,

Tathaiva te pālanīyāḥ prajā prakṣubhyate'nyathā.

–Śukranīti, 4.5.48

<sup>220</sup> . Udūhyate dākṣiṇātyairmātulasya sutā dvijaiḥ,

Madhyadeśe karmakarāḥ śilpinaśca gavāśinaḥ.

–Śukranīti, 4.5.49

<sup>221</sup> . Matsyādāśca narāḥ sarve vyabhicāraratāḥ striyaḥ,

Uttare madyapā nāryyaḥ sprśyā nṛṇām rajasvalāḥ.

–Śukranīti, 4.5.50

<sup>222</sup> . Apte, V.S., “Sanskrit Hindi Kośa”, p. 325

<sup>223</sup> . Manuamṛti, 10.44

<sup>224</sup> . Khaśajātāḥ pragrhyanti bhrāṭṛbhāryyāmabhartṛkām,

Anena karmaṇā naite prāyaścittadamārhaḥkāḥ.

–Śukranīti, 4.5.51

<sup>225</sup> . Yeśāṃ paramparāprāptāḥ pūrvajairapyanuṣṭhitāḥ,

Ta eva tairna duṣeyurācārānnetarasya tu.

–Śukranīti, 4.5.52

### 8.6. Rules for attorney fee

The lawyer was allotted by the king. The lawyer was not independent, and his fee was also fixed by the state as per the nature of the case. The allotted lawyer should take the 16<sup>th</sup>, 20<sup>th</sup>, 10<sup>th</sup>, 5<sup>th</sup> or two and half part of the estimated fee of the case.<sup>226</sup> King should always appoint an intellectual and legal expert as the lawyer, and if he takes the fee much high than the prescribed fee, the king should punish him.<sup>227</sup> It is a unique rule, and there was a very limitation for a lawyer. He was associated with the judge or king, and the authority had the right to appoint the lawyer as per the nature of the case. For making the judiciary corruption free, this initiation is beneficial. Several lawyers, their fee, and procedure were under the surveillance of the king or high judicial authority.

### 8.7 Some other legal Principles

There are some serious crimes listed in Śukranīti, in which the culprit was unable to defend himself through a lawyer. The nature of crime ends the possibility of a lawyer. These crimes are; manslaughter, theft, rape, inedible feeding, girl's kidnapping, harsh speech, forgery, sedition, and robbery. The culprit can defend himself by his own, but he can't do this through a lawyer.<sup>228</sup>

The judicial system and king have to ensure justice within the minimum time, and the king should not make any delay in evidence analysis. The legal procedure should be distinct and also very fast. Making the delay is an unethical and unrighteous act, and such acts damage the dignity of Dharma, which is the most serious offence for a king.<sup>229</sup>

<sup>226</sup> . Niyogitasyāpi bhṛtiṃ vivādāt ṣoḍaśāṃśikīm,

Vimśatyamśāṃ tadarddhāṃ vā tadarddhāṃ ca tadarddhikam. –Śukranīti, 4.5.114

<sup>227</sup> . Dharmajño vyavahārājño niyoktavyo'nyathā na hi,

Anyathā bhṛtiḡṛhṇantaṃ daṇḍayecca niyoginam. –Śukranīti, 4.5.116

<sup>228</sup> . Manuṣyamāraṇe steye paradārābhimarśane,

Abhakṣyabhakṣaṇe caiva kanyāharaṇadūṣaṇe,

Pāruṣye kūṭakarāṇe nṛpadrohe ca sāhase,

Pratinidhirna dātavyaḡ karttā tu vivadet svayam.

–Śukranīti, 4.5.121-122

<sup>229</sup> . Na kālaharaṇaṃ kāryyaṃ rājñā sādhanadarśane,

### 8.8. Effects of the wrong judgement

This severe offence from all the system takes place when the king and ministers fall in greediness. A biased king and greedy ministers can never secure justice with its original form. Sometimes it happens due to the carelessness. Causes may be different, but the result of the wrong judgement is severe and irreversible damage to the judicial system. When it occurs, the entire subject gets corrupted, and their behavior with each other and towards the state become full of fraudulent.<sup>230</sup> Such type of mistake or misbehavior of king put the question mark on entire state machinery. The name and fame of the king get damaged by such acts. That is why; *Śukranīti* did not allow the king to deliver the justice alone, but he must consult his jury and *sabhāsada* before final pronouncement of judgement.

If the petitioner feels that the judgement is not justified and he is still deprived of justice, he can file a review petition. This provision was given by the thinkers to the victim. The victim can file a review appeal by submitting the double penalty.<sup>231</sup> If the jury or judge have given the judgement against the rules, the king can re-evaluate the case and provide the correct judgement. He should not only deliver the correct judgement but also punish the responsible officers.<sup>232</sup>

If somebody files a false case on an innocent person, the king should punish him very brutally and imprison him for a long time and make the victim free from all charges with his dignity and respect.<sup>233</sup> Serious punishments like a death sentence or financial penalties were delivered only by the king. Lower courts had no right for such decisions, but they were

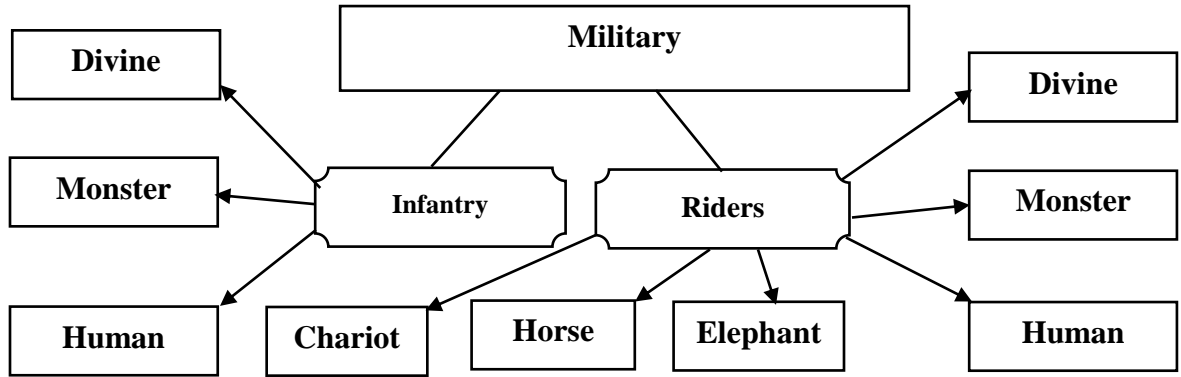
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- Mahān doṣo bhavet kālāddharmavyāpattilakṣaṇaḥ. –Śukranīti, 4.5.167
- <sup>230</sup> . Rājāmātyapralobhane vyavahāraṣṭu duṣyati,  
Loko'pi cyavate dharmāt kūṭārthe sampravarttate. –Śukranīti, 4.5.275
- <sup>231</sup> . Tīritam cānuśiṣṭāñca yo manyet vidharmataḥ,  
Dviguṇam daṇḍamādhāya punastat kāryyamuddharet. –Śukranīti, 4.5.280
- <sup>232</sup> . Amātyaḥ prādvivāko vā ye kuryyuḥ kāryyamanyathā,  
Tatsarvaṃ nṛpatiḥ kuryyātātān sahasrantu daṇḍayet. –Śukranīti, 4.5.282
- <sup>233</sup> . Anyathā hyabhiyoktāraṃ nirudhyād bahuvatsaram,  
Mithyābhiyogasadṛśamarhayedabhiyoginam. –Śukranīti, 4.5.286



allowed to give soft and oral punishments like admonish, etc.<sup>234</sup> Legal aspects, case procedure, the structure of the judiciary, jurisprudence, witnesses, and all other aspects have widely described in *Śukranīti*. Its legal principles and consciousness about the truth and justice as per law is very appreciable. Modern Indian legal system can collect many precious principles from this source.

### 9. *Senāprakaraṇa*: The army and warfare

Definition of the army is very simple in *Śukranīti*.<sup>235</sup> An army is a group of men, animals, &c. equipped with arms, missiles &c.<sup>236</sup> The Military has several divisions based on its nature.<sup>237</sup> The below-drafted graph can explain the divisions of the military:



The military had two divisions at first layer; the infantry means all those soldiers who initiate the operations by feet and carry their equipment and weapons by their own. The second

<sup>234</sup> . Dhitaṇḍastvatha vāgdaṇḍaḥ sabhyāyattau tu tāvubhau,

Arthadaṇḍavadhāvuktau rājāyattāvabhāvapi.

–Śukranīti, 4.5.279

<sup>235</sup> . Senā śastrāstrasamyuktamanuṣyādigaṇātmikā.

–Śukranīti, 4.7.1

<sup>236</sup> . Sarkar, B.K., “The Śukranīti”, p. 216

<sup>237</sup> . Svagamānyagamā ceti dvidhā saiva pṛthak tridhā,

Daivyāsuri mānavī ca pūrvapūrvā balādhikā.

–Śukranīti, 4.7.2

division was of the riders. This division operates by vehicle or animal riding. Mostly the chariots, elephants, horses, etc. had been using for battle riding. So, riders had three types; chariot wing, elephant wing, and cavalry wing. These two divisions had three types again according to their nature. The humane military was less strong than a monster, and the monster troop was less strong than divine. Finally, the divine force means the first-row military who was the strongest among other wings.<sup>238</sup> These are the basic distinction of the army, but there are several types of forces according to time, condition, nature of the battle, and diplomacy. *Śukranīti* had described all the military affairs, regulations, maintenance of the sources, etc. deeply and widely. Some remarkable principles and doctrines of military and war will be described in this section.

*Śukranīti* described the six kinds of force or strength (*bala*). Physical strength, gallantry strength, military strength, weapon strength, the strength of mind, and the strength of age. If any king has all these strengths, he is not a human being but like the Lord *Viṣṇu*.<sup>239</sup> Whenever a soldier makes any mistake or punishable offence, the king should never apply the financial or other types of penalty, but he should punish him physically because the soldier and animal both can punish by the physical assault and not applicable for a financial penalty.<sup>240</sup> If the king applies the heavy physical punishments, it may be the cause of mutiny inside the army. Some bad habits can break the unity and strength of army. Moderate the troops always by abusive language, always apply the unbearable punishments, making the scary environment around the troops, and continuous external military operations can mutually divide the soldiers, and finally, the entire force gets destroyed.<sup>241</sup>

<sup>238</sup> . Svagamā yā svayaṃ gantrī yānagā'nyagamā smṛtā,

Pādātaṃ svagamaṃ cānyadrathāśvagajagaṃ tridhā. –Śukranīti, 4.7.3

<sup>239</sup> . Śārīraṃ hi balaṃ śauryyabalaṃ sainyaabalaṃ tathā,

Caturthamāstrikyabalaṃ pañcamaṃ dhībalaṃ smṛtam,  
 Śaṣṭhamāyurbalaṃ tvetairupeto viṣṇureva saḥ. –Śukranīti, 4.7.5

<sup>240</sup> . Sutāḍanairvineyā hi manuṣyāḥ paśavaḥ sadā,

Sainikāstu viśeṣeṇa na te vai dhanadaṇḍataḥ. –Śukranīti, 4.7.175

<sup>241</sup> . Vāgdaṇḍaparuseṇaiva bhṛtihrāsena bhītitaḥ,

Nityaṃ pravāsāyāsābhyāṃ bhedo'vaśyaṃ prajāyate. –Śukranīti, 4.7.185

### 9.1. Weapons Described in *Śukranīti*

Eleven types of weapons are described in this text. There are two types of weapons: *Astra* and *Śastra*. When a weapon thrashed out with the help of any machine, formula or fire for crumble of the target that is called the '*Astra*.' Sword, javelin, etc. rest of all other weapons are called the '*Śastra*.'<sup>242</sup> Cannon and gun are the two type of *astra*.<sup>243</sup> Characteristics of a gun are described here. That was early entry time of gun in Indian sub-continent because gunpowder (*Agnicūrṇa*) was used for fire and bullets were not introduced till that time. Gunpowder was directly applied in the tubular stalk of the gun. Infantry and cavalry force should carry the guns.<sup>244</sup> Cannon was the heavy weapon and was not easily portable. Its rotation during the fire was done by a spike which was located at the origin part of cannon. The origin part was made of the wood, and it was carried by the help of cart. Cannons were the guarantee of victory.<sup>245</sup> Arrow is also an *astra*, which operated by the longbow (*Dhanuṣa*).<sup>246</sup> Bludgeon (*Gadā*) and iron blade weapon (*Paṭṭīśa*)<sup>247</sup>, sword<sup>248</sup>, harpoon (*Khaḍga*) and javelin (*Kunta*)<sup>249</sup>, wheel (*Cakra*) and thorny iron ball (*Pāśa*)<sup>250</sup> are the direct operatable weapons.

<sup>242</sup> . Asyate kṣipyate yattu mantrayantrāgnibhiśca tat,

Astraṃ tadanyataḥ śastramasikuntādikañca yat. –Śukranīti, 4.7.191

<sup>243</sup> . Astrantu dvidiham jñeyam nālikam māntrikaṃ tathā.

–Śukranīti, 4.7.192

<sup>244</sup> . Svānte'gnicūrṇasandhāṭṭr śalākāsamyutam dṛḍham,

Laghunālikamapyetat pradhāryyam pattisādibhiḥ. –Śukranīti, 4.7.198

<sup>245</sup> . Mūlakīlabhramāllakṣyasamasandhānabhāji yat,

Bṛhannālikasamjñam tat kāṣṭhabudhnavinirmitam,  
Pravāhyam śakāṭādyastu suyuktaṃ vijayapradam. –Śukranīti, 4.7.200

<sup>246</sup> . Lakṣyabhedī yathā bāṇo dhanurjyāviniyojitaḥ,

Bhavit tathā tu sandhāya dvihastaśca śilīmukhaḥ. –Śukranīti, 4.7.212

<sup>247</sup> . Aṣṭāsrā pṛthubudhnā tu gadā hṛdayasammitā,

Paṭṭīśaḥ svasamo hastabudhnaścobhayatomukhaḥ. –Śukranīti, 4.7.213

<sup>248</sup> . Īṣadvakraścaikadhāro vistāre caturaṅgulaḥ,

Kṣuraprānto nābhisamo dṛḍhamuṣṭiḥ sucandrarak. –Śukranīti, 4.7.214

<sup>249</sup> . Khaḍgaḥ prāśaścaturhastadaṇḍabudhnaḥ kṣurānaḥ,

Daśahastamitaḥ kuntaḥ phālāgraḥ śaṅkubudhnaḥ. –Śukranīti, 4.7.215

<sup>250</sup> . Cakraṃ ṣaḍḍhastaparidhi kṣuraprāntaṃ sunābhīyuk,

The only attack was not the style, but the defence during Safety shield is also necessary to avoid the attack of the enemy. A particular dress had invented for safety during the war. It was made of the iron sheet which thickness was equal to wheat. Head protective iron made helmet attached with this iron dress, and it known by the name '*Kavaca*.'<sup>251</sup> The last weapon was the martynia diandra (*Karaja*). It was made of the fermented iron and wearable on the hand fingers.<sup>252</sup>

## 9.2. Six Strategies of the war

When two persons (or party) try to achieve their goals or win to each other through fight by using the weapons mentioned above that are called the battle (*Yuddha*).<sup>253</sup> This battle has six strategies; *Sandhi*, *Vigraha*, *Yāna*, *Āsana*, *Samāśraya*, and *Dvaidhībhāva*.<sup>254</sup> When two kings end the battle or war-situation by negotiation that is the first strategy. When the possibilities of negotiations get failed, and a king makes his opponent subdue through battle, it is the *Vigraha*.

Going for battle with full preparation is the *Yāya*. Encircling of the enemy to cut all his resources, connections, and communication so that he becomes constrained to surrender called the *Āsana*. Taking the shelter under a stronger king is called the *samāśraya*, and when the enemy destroyed only by the split policy of the king, it is the *Dvaidhībhāva*.

All these war-strategies are being use on international conflicts. These strategies have been using by the rulers since the battle for power started.

## 9.3. War Ethics of *Śukranīti*

- 
- |   |                     |
|---|---------------------|
| Trihastadaṇḍastriśikho loharajjuḥ supāśakaḥ.  | –Śukranīti, 4.7.216 |
| <sup>251</sup> . Godhūmasammitasthūlapatram lohamayaṃ dṛḍham,<br>Kavacaṃ saśirastrāṇamūrdhvakāyaviśobhanam.             | –Śukranīti, 4.7.217 |
| <sup>252</sup> . Tikṣṇāgram karajaṃ śreṣṭhaṃ lohasāramayaṃ dṛḍham.  | –Śukranīti, 4.7.218 |
| <sup>253</sup> . Ābibhratoḥ śatrubhāvamubhayoḥ saṃyatātmanoḥ,<br>Astrādyaiḥ svārthasiddhyartham vyāpāro yuddhamucyate.  | –Śukranīti, 4.7.220 |
| <sup>254</sup> . Sandhiṃ ca vigrahaṃ yānamāsanam ca samāśrayam,<br>Dvaidhībhāvaṃ ca saṃvidyānmantrasyaitāṃstu ṣaḍguṇān. | –Śukranīti, 4.7.234 |

It is an important aspect. Though the battle has no limit of inhumanity and brutality, some rules and regulations were created for the sake of humanity. These were applied for both side, and respect of these rules was expected from both parties. War of ethics has also been described by many scholars and political thinkers. Ancient India's war ethics was able to minimize the casualties. *Śukranīti* derived the ethics of war. A brave king should never give up from that war, which has started for the protection of the honour of women and *Brāhmaṇa*. If the life of a cow and *Brāhmaṇa* get suffered, a king has to fight for the sake of both. It is the first ethics of war. Woman, cow, and *Brāhmaṇa* are the honor of the state, and they all are a parameter of self-respect of the king. So, a king should never take his feet back from such battle.<sup>255</sup> If any enemy comes on the border of the king and the challenges for battle, a self-respective king should accept his challenge and fight him and destroy. No matter how much the enemy strong is, but such an enemy should be brutally punished.<sup>256</sup> War disinclined king and stagnant *Brāhmaṇa* ingested by the land, as the snake swallows the residing burrow species.<sup>257</sup> If the teacher or scholar *Brāhmaṇa* comes as at diggers drawn during the battle, the king should kill him without any hesitation. It is not against the law and *Vedas*.<sup>258</sup> If a *brāhmaṇa* involves in terror activities, he becomes a *Śūdra* by losing his highness, and such man's slaughter has no flaws.<sup>259</sup> Cavalry should fight with the cavalry of the enemy, and elephant force should fight with its equal opponent. Infantry also follows this rule and fight only with enemy's infantry. The same rule applies about the weapon

<sup>255</sup> . Strīviprābhyupapattau ca govināśe'pi brāhmaṇaiḥ,

Prāpte yuddhe kvacinnaiva bhavedapi parāñmukhaḥ.

–Śukranīti, 4.7.300

<sup>256</sup> . Samottamādhamaiḥ rājā tvāhūtaḥ pālayan prajāḥ,

Na nivartteta saṅgrāmāt kṣatradharmamanusmaran.

–Śukranīti, 4.7.301

<sup>257</sup> . Rājānañcāvīyoddhāraṃ brāhmaṇañcāpravāsinam,

Bhūmiretau nirgilati sarpo vilaśayāniva.

–Śukranīti, 4.7.302

<sup>258</sup> . Ātmānaṃ gopayecchakto vadhenāpyātātāyinaḥ,

Suvidyabrāhmaṇaguroryuddhe śrutinidarśanāt.

–Śukranīti, 4.7.318

<sup>259</sup> . Ātatāyitvamāpanno brāhmaṇaḥ śūdravat smṛtaḥ,

Nātātāyivadhe doṣo hanturbhavati kaścan.

–Śukranīti, 4.7.325

position. An arrow operator should not attack on swordman, and a guner should not attack on a bludgeon man.<sup>260</sup>

During the war, there are some conditions when an honest warrior should not attack on opponent. Deserter, transgender, supplicated, scattered hair warrior, postured, ‘I am under your shelter’ saying, enemy soldier, sleeping man, undressed by battle uniform, nude, unarmed, unprepared for war, audience, water-sucking man, eating man, busy in any other work, scared and escapee from the battlefield people are not eligible for attack or killing.<sup>261</sup> Child, older man, woman, and the helpless king are forgivable of death, and these should be left by making them subservient.<sup>262</sup>

After the study of politics and warfare of *Śukranīti*, it can be said that politics and war are interdependent. Politics came after the war. This spirit seems from the first chapter, where we have seen the atmosphere of origin of kingship and political organizations. Ancient clans and tribes had been fighting for their existence and survival. It was the endless race of brutality and death. Ancient world’s major civilizations survived because of their warriors and fighters. But it was not the solution, and people started negotiating for the abolishment of war-condition. The solution came through politics and human established political organizations for dealing with internal and external conflicts. Politics and diplomacy moderated the states and their citizens, but the principles of expansionist policy made the rulers ambitious about their boundaries.

<sup>260</sup> . Gajo gajena yāvavyasturageṇa turaṅgamaḥ,

Rathena ca ratho vojyaḥ pattinā pattireva ca,

Ekenaikaśca śastreṇa śastramastreṇa vāstrakam.

–Śukranīti, 4.7.354

<sup>261</sup> . Na ca hanyāt sthalārūḍhaṃ na klībaṃ na kṛtāñjalim,

Na muktakeśamāsīnaṃ na tavāsmīti vādinam.

Na suptaṃ visannāhaṃ na nagnaṃ na nirāyudham,

Nāyuddhyamānaṃ paśyantaṃ yuddhyamānaṃ pareṇa ca.

Pibantaṃ na ca bhuñjānamanyakāryyākulaṃ na ca,

Na bhītaṃ na parāvṛttaṃ satāṃ dharmamanusmaran.

–Śukranīti, 4.7.355-357

<sup>262</sup> . Vṛddho bālo na hantavyo naiva strī kevalo nṛpaḥ,

Yathāyogyam tu saṃyojyam nighnan dharmo na hīyate.

–Śukranīti, 4.7.358

The *Maṇḍala* and *yoni* theory, as we saw in *Manusmṛti* in the second chapter and *Śukranīti*, established a new parameter of being a strong king. Political thinkers declared all surrounding states the enemy without any condition and other circumstances in their theories. This mentality promoted the kings to fight with each other for the expansion of their state boundaries. Means the war begins once again due to politics. This philosophy of politics shown us both sides of the coin as a result. We saw the *Magadha* dynasty under the *Ashokan* period, *Puṣyabhūti* dynasty under *Harsha Vardhana* as a good result of this policy. These kings united many small and large states and collected the taxes from them, but such types of kings are the few. Before and after the existence of these great historical dynasties, we see the Indian sub-continent divided and scattered. *Śukranīti* is an applied political text. This realistic text shows us both side of the coin of Indian Polity. It has many useful principles, and those are very relevant today. The fourth chapter ends with the discussion of warfare.

### **10. *Khilanīti*: Some other essential principles**

Fifth and last chapter of *Śukranīti* is about to the remaining policies and methods of government and diplomacy. The first chapter was focused on the king and the basic structure of government. The second chapter has a concentration on the assistance of the king and his governmental system. The third chapter described the common civil codes for all its citizens, including the king. The fourth chapter separately and respectively described the seven limbs of the state by seven *prakaraṇa*. *Śukranīti* successfully tried to include all the aspects of applied politics of monarchial system of governance. Let us see the remaining theories and principles.

#### **10.1. Source of fund for upbringing the nation**

Source of the wealth of any nation is its citizens, taxpayers, and other direct-indirect sources but when this wealth get collected in the government reserve treasures, and it takes a turn to the citizens for their development, king or ruler has two options here. Either he upbringing the state by their wealth, or he can involve the corporate lobby to invest in his state and develop by private money. The upbringing of the state via private sector and wealth has two benefits;

first, the king can save his wealth which is collected in the treasure, and that is the money of common people, but he can save it for his purpose and can use it for his personal or family welfare. Second, the corporate lobby and some closest businessman gets the benefit by investing their money. They are always ready to invest their money on behalf of the king because of the lift heavy benefits in return. Means, the king, and his close corporate men get all the benefit, and less goes on the ground for the common people. But the coin has not only one side but also the other. If there are two benefits on one side, there are also two impairments on another side. Businessman and corporate lobby establish their control over the kingship and system because the king is now dependent on their wealth. The dignity, power, and authority of king get damaged by such diversions. It is the first loss. Second and most irreplaceable loss is of the common citizens of the nation. Ruler takes the money as tax and businessman invest very limited money with quality compromisation. The money of a businessman has no permanent guarantee, and he can leave the state due to any cause. That is why the king should always bring his state by the state fund, not by the wealth of any businessman. The first kind of money is like the rainwater and that is most natural, beneficial for crops and full of nutrients, whereas the irrigation of crops by the river water has less and limited benefits. The river water only arrive on the root of the crop, but rainwater fully irrigates from leaf to root:

*Meghodakaistu yā puṣṭiḥ sā kiṃ nadyādivāritaḥ?*  
*Prajāpuṣṭirṇṇpadravayaistathā kiṃ dhanināṃ dhanāt?*<sup>263</sup>

This single but very clear statement of *Śukranīti* has many dimensions regarding the development and growth of the nation. Nature of government may be different, but source and effort for the development of the nation should be done by the public money which has been collected by the king. King is only the protector of that money and servant of the nation. He gets the supreme honour and respect in return of his services. *Śukranīti* avoids the interference of the corporate people in governmental schemes. King should only open the

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<sup>263</sup> . *Śukranīti*, 5.8



market of his state for them, they can do the business of all kind, but they should not involve in the development process, which is conducted by the state.

### **10.2. Rājyavṛkṣaṃ: Tree-shaped structure of state machinery**

*Śukranīti* compared the entire state with a tree. As a tree is a living being organ and it has many parts, the same as a state is also a living being and conscious full structure. As the tree stands on the land but its actual strength is the roots. Strength and profundity of roots decide the age and durability of the tree. Roots collect the water and nutrients from the depth of the land and pass it to the tree. King is also like the root of his state-tree. A ruler generates all sources for the protection of the state, and his all efforts are only for the growth and development of his state. A trunk connects the root with the branches and rest of the tree. It makes the balance during any conflict like a storm and other disasters.

In the state-tree, the trunk is (council of) the ministers. The military chief and other troop officers are like the branches of the tree. The military is the leaves of the state tree. As the leafage produce the food by photosynthesis, army produces the resources by collecting the taxes and by defeating the enemy and capturing his wealth.

Flowers blossom on the tree when the entire tree actively participates in creating an environment for making the atmosphere favourable for flowers. These blooming flowers are the citizens of the state. When the flowers blossom with their full appearance, they produce healthy, and many fruits and the fruit is the revenue of the state.

When the citizens and common people feel safe and unscared of any disaster, they work very hard but with all happiness, and they create more agricultural revenue and resources. All these efforts are just useless, and conditions are impossible if the seed is not planted on proper and fertile soil. The land, basic source of the state is like the seed, who convert itself and take the shape of a huge tree.<sup>264</sup>

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<sup>264</sup> . Rājyavṛkṣasya nrpatirmūlaṃ skandhāśca mantriṇaḥ,  
 Śākhāḥ senādhipāḥ senāḥ pallavāḥ kusumāni ca,  
 Prajāḥ phalāni bhūbhāgā bījaṃ bhūmiḥ prakalpitā.

### 10.3. The Difference between *Dharma* and *Adharma*

The practical and democratic identification of *Dharma* and *Adharma* have described in *Śukranīti*. The public opinion is very important because the execution of dharma and adharmā directly affects the common people. That is why; *Śukranīti* derived the parameter based on public opinion and feedback. If the mass approves and appreciates any particular activity or virtue, that is the *Dharma*. But if the masses reject any activity, the theory of policy execution due to its harmfulness towards them, that practice is *Adharma*, even though that practice executed by the name of *Dharma*.<sup>265</sup>

### 10.4. *Rāma* and *Kṛṣṇa* in *Śukranīti*

The Heros of two great epics has quoted in *Śukranīti*. *Rāma* and *Kṛṣṇa* had not presented as the divine personalities, but both have remembered in *Śukranīti* because of their separate political diplomacies. *Rāma*, the Hero of *Rāmāyaṇa* was not just a simple fable character, but he was very kindhearted, available for everyone and had a great personality. His mastership of dealing with people from bottom level to strongest personalities, he was very humble and good. His such kind of characteristic personality attracted the non-human species, and even the monkies (the most insolent species) accepted the proprietorship of *Rāma*. *Vālmīki* presented the character of *Rāma* as the great management expert, best but very kind master, available for everyone and others. *Rāma* still worshipped by the people.<sup>266</sup> A king should deal with his subordinate officers and staff like *Rāma*.

*Kṛṣṇa*'s great quality of diplomacy had quoted by *Śukranīti*. *Vyāsa* presented the leading character of *Mahābhārata* as *Kṛṣṇa* and gave him the divinity, described as the supreme Lord and operator of the universe. *Mahābhārata* is full with the glorification of *Kṛṣṇa*. *Śukranīti* did not refer to these qualities or concept of divinity, but he has taken the diplomatic aspect of his character. *Kṛṣṇa* was a younger brother of *Balarāma*, and both had

<sup>265</sup> . Bahubhīryaḥ stuto dharmo nindito'dharma eva saḥ,  
Dharmatattvaṃ hi gahanam jñātum kenāpi nocitam.

–*Śukranīti*, 5.35

<sup>266</sup> . Na rāmasadr̥śo rājā pṛthivyāṃ nītimānabhūt,  
Subhṛtyatā tu yannītyā vānarairapi svīkṛtā.

–*Śukranīti*, 5.52

a sister called *Subhadrā*. *Subhadrā* was in love with *Arjuna*, but *Balarāma* was against this relation. *Kṛṣṇa* has taken the side of his sister *Subhadrā*. *Arjuna* and *Subhadrā* got married by the diplomatic method of *Kṛṣṇa*. The happiness of his sister was his supreme goal, and he went against his elder brother. His intention was virtuous and right, so he has taken the diplomatic path for his sister.<sup>267</sup>

### 10.5. Supplementary Advice for the ruler

If a ruler wants to make his state the ‘welfare state,’ he should always mind that an honorable and honest person is appreciated, but the wicked and anti-social elements must be suppressed. Respect and reputation of dishonest person should never be increased.<sup>268</sup> Respect of wicked and insult of honest people create a corrupt environment in society. Trust on the system gets damaged. So a ruler should always be conscious of this aspect.

If everything of a farmer or a gentlemanly rich man get destroyed in the judicial process or case, the king should help him and pull him from that disaster. Such kind of people can get financial assistance from the king and state because the farmer is the base of agriculture, and a honest rich man is the base of business and trade.<sup>269</sup>

These are the political and other principles of *Śukranīti*. Remaining principles will be referred to as per requirement, during an executory discussion of these principles on contemporary Indian polity.

<sup>267</sup> . Na kūṭanītibhavacchrīkṛṣṇasadṛśo nṛpaḥ,

Arjune prāpitā svasya subhadrā bhaginī chalāt.

–Śukranīti, 5.54

<sup>268</sup> . Śreṣṭho na mānahīnaḥ syānnyūno mānādhiko'pi na,

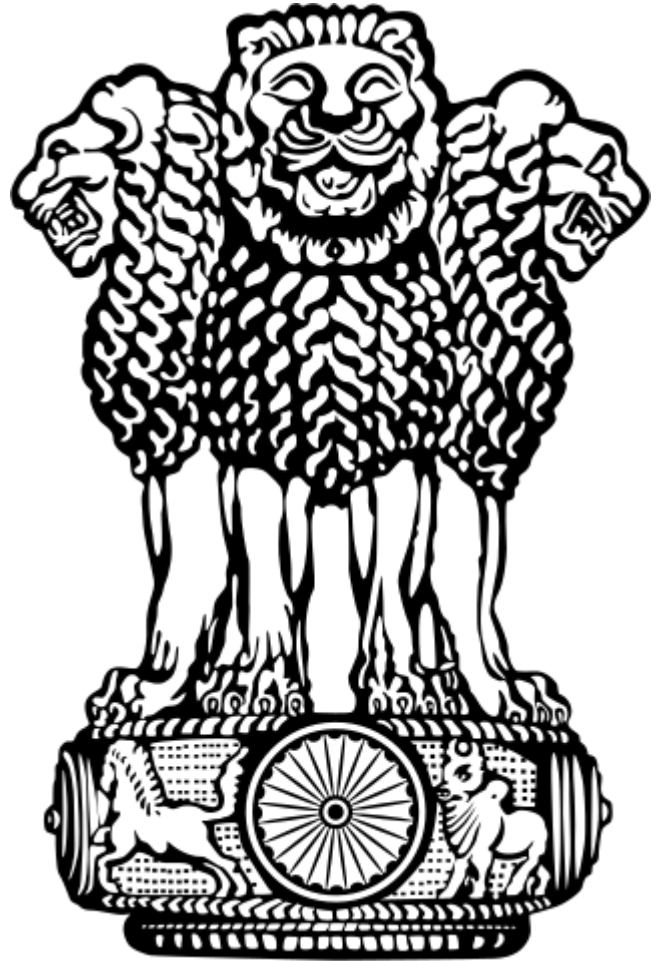
Rāṣṭre nityaṃ prakurvīta śreyo'rthī nṛpatistathā.

–Śukranīti, 5.81

<sup>269</sup> . Satyācārustu dhanikā vyavahāre hatā yadi,

Rājā samuddharet tāṃstu tathānyāṃśca kṛṣṭibālān.

–Śukranīti, 5.88



## **Chapter – 4**

# **Contemporary Indian Polity: Principles, Structure, and Challenges**

## Chapter – 4

### Contemporary Indian Polity: Principles, Structure, and Challenges

Indian political tradition faces many changes, challenges, forms, and principles in its society and polity at several times. The Sanskrit tradition of polity produced many political and social texts. The *Dharmaśāstra* has a vast and unbroken tradition of texts and interpretations, but there is no evidence about their mass acceptance. Maybe some of them implemented by some particular dynasties at a time but not forever and also not by all states existing in Indian sub-continent. The republic form of government also existed in many states, even the medieval period of Indian history. The Tradition of *Arthaśāstra* has only one available text, and that is the '*Arthaśāstra of Cāṇakya.*' None of the other text revealed or invented related to this tradition. *Kāmandaka* followed this tradition, but he put his work before the people as the '*Nītisāra.*' The monarchy is same, *Varṇa*-system was the same also, and almost every community was under the umbrella of this universal law. However, the social clashes took place even with the starting of this inequality based formula. Buddhism denied the birth-based social system and neglected it at several times. The monarchy had many sub-forms also. There was an innumerable number of small and large states, and all were claiming their sovereignty. It was the fault of many constitutions and codes of conducts. It was the lack of vast nationhood, which created mutual fighting states. The social harmony was on the life of ordinary people, the philosophical highness based on intellectual tradition, seers, many states and kings provided shelters to the intellectuals, artists, and religions but the result is not satisfactory when the political point of view occurs as evaluating parameter.

The same mistake seems in judicial principles. *Dharmaśāstra* is prejudice for the first *varṇa*. That whole community was free from the death penalty. No matter the criminal is an intellectual or ordinary community member, but no legal provision could apply the death penalty on the *Brāhmaṇa* if he attempts the rarest of rare crime like murder, rape, sedition or anything. *Arthaśāstra* took some more actions than *Dharmaśāstra* but that tradition also preserved this community blindly. The

unequal form of justice seems in the matter of rape cases. The attempt of rape on any woman crime but the caste and *varṇa* position of criminal and victim were the base of punishment. Means there was no equality of before law in the past. Every tradition had its point of view and principles.

*Nītisāstra* lifted one more step and declared that nobody is more significant or lower by birth and only the occupation, actions, and conducts will be the decisive factor for the status of a man in the society.<sup>1</sup>

Social theories had based on such inequalities. *Varṇa* system disappeared just after some centuries, and the castes system replaced it. *Dharmaśāstra* and *Arthaśāstra*, both given the origin theory of castes. Both traditions declared many untouchable communities originated from inter-*varṇa* marriages and intercourses created an innumerable number of hybrid communities according to *Dharmaśāstra*.<sup>2</sup> The contemporary intellectuals tried to prove the origin of thousands of untouchable communities and *Śūdra* from the *Brāhmaṇ*, *Kṣatriya*, and *Vaiśya*. The core aim of these theories was only the approval that makes these untouchable and lowest communities originated from upper *varṇa* so that the abundant human resources could be utilized for the service of *Dviija* communities. Many historians and scholars rejected these theories due to their biased, illogical, and senseless conceptions. Prof. R.C. Majumdar said that these theories are just useless ignorable. These theories have no logic, sense, or comprehension. Even, these are against the reputation of *Brāhmaṇa varṇa* itself. He gave an example also; *Dharmaśāstra* says that the intercourse between *Brāhmaṇa* female and *Śūdra* male is the cause of the birth of *Cāṇḍāla*. The population of *Cāṇḍāla* is very much than *Brāhmaṇa* at several regions of Indian sub-continent. It means the *Brāhmaṇa* women had much interest in *Śūdra* men instead of their own community males.<sup>3</sup> The superiority of *Brāhmaṇa* based on the divine theory of the origin of four *varṇa* from the various parts of *Paramapuruṣa* that widely described in the first chapter of this work under the Vedic, *Rāmāyaṇa*, and *Mahābhārata* sections. However, the

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<sup>1</sup> . Śukranīti, 1.38

<sup>2</sup> . Manusmṛti, chapter 10.

<sup>3</sup> . Majumdar, R.C., “Ancient India”, pp. 471-472.

critical view and a little sense can erase this theory. *Mahābhārata* itself quoted this theory but also said that every creature is *Brāhmaṇa* because of its first origin from the *Brahmā*.<sup>4</sup> Buddha proved that all human beings are equal, and their origin was the same also, but only their occupational interests made them higher or lower by financial point of view but not by birth.<sup>5</sup> It was unfortunate that India did not pass through any social revolution, and these divine rules delimited the communities within their small boundaries.

When the nation collectively fought for its independence from the British rule and got it, the formation of the constitution, structure of government, nature of polity, the status of justice, and many questions were raising. Mohandas Karamchand (Gandhi) suggested following the ancient *Varṇa* system as the common law, and he was in favor of village sovereignty, based on this system.<sup>6</sup> Constitution makers and social reformers rejected his suggestion.

## **1.1. Constitutional Development of India**

Before the discussion about the Principles and structure of Modern Indian polity, a brief survey of Constitutional development of India needs a little attention.

After the British victory of Battle of Plassey in 1757 and the Battle of 1764, British East India Company over Bengal wrestled the regime. To maintain this favorable regime, the British government passed several Acts from time to time, which became the stairs of the development of the Indian Constitution. They are:

### **1.1.1. Regulating Act of 1773**

This Act considered as a first significant act by the British. Under this act, a government was set up in the Calcutta Presidency, in which there were governor-general and four members of his council, who used their power jointly. Parliamentary control was established on the company's rule. The governor of Bengal was appointed as the general of the three presidencies, and A Supreme Court was set up in Calcutta.

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<sup>4</sup> . Mahābhārata, 12.269.34

<sup>5</sup> . See in chapter 1, Section, 4.3

<sup>6</sup> . Prasad, Bimal, "The Ideas and Men behind the Indian Constitution," Introduction p. XI.

**1.1.2. Pitts India Act of 1784**

This act started dual governance- Court of Directors for business affairs and Board of Controller for political issues.

**1.1.3. The Charter Act of 1793**

It was arranged to give salaries to the members of the control board and employees from the Indian revenue.

**1.1.4. Charter Act of 1813**

By this act, the company's authority was extended for 20 years. The company's monopoly to trade with India was snatched, but it has a monopoly for 20 years in connection with trade with China and trade of tea with eastern countries. With certain limitations, trade with India was opened for all British citizens.

**1.1.5. Charter Act of 1833**

By this act, the trade rights of the East India Company were abolished entirely. The Governor-General of Bengal came to be called the governor-general of India. Under this act, Indian laws were classified, and arrangements were made to appoint the Law Commission for this purpose.

**1.1.6. Charter Act of 1853**

By this Act, the important post of the company will be filled by the competitive examinations instead of the nomination system.

**1.1.7. Charter Act of 1858**

By this act, the power to govern India was transferred from the Company to the British Crown, and ministerial posts were arranged in India. The creation of India Council of 15 members. This act also provides direct control of the British Parliament was established on Indian affairs.

**1.1.8. The Indian Government Act of 1861**

This act has an essential place in the constitutional development of India because it has established a devolutional system for administration in India and the Acting Council of the Governor-General has expanded, and the departmental system



started. The Governor-General was given the power to issue Ordinance for the first time, and The Governor-General has been given the power to establish a legislative council in Bengal, North-West Frontier Province, and Punjab.

#### **1.1.9. The Indian Government Act of 1892**

Under this act, the indirect electoral system began. It gave the power to the elected member to debate on revenue and expenditure or budget and ask questions and further information from the government.

#### **1.1.10. The Indian Committee Act of 1909**

The Indian Committee Act of 1909 is also known as Morley-Minto Reforms has played a very significant role in the constitutional development of India. Relevant provisions of this act are; Provision of separate representation (communal representation) for the Muslim community. Indians were appointed to the Executive Councils of India Secretary and Governor-General. The act has expanded the number of central legislative and the regional legislative committee's members and increased the power and functions of the Central and provincial legislative committee as they have the right to debate the budget, present proposals on topics of public interest, ask supplement questions, and vote for the first time.

#### **1.1.11. Government of India Act of 1919**

This act, also known as Montague-Chelmsford-Reforms, has passed by British Indian Parliament. This act considered a significant landmark to the constitutional history of India because it has begun the concept of responsible government. The significant provisions of this act are; the bicameral legislature was established at the center- first the Legislative Assembly (lower house) and the second the committee (upper house) of the states. The number of members of both houses has increased.

The rights of both houses were similar. There was only one difference that the right to accept the budget was in the lower house. The system of direct elections has also introduced in this act. The method of Diarchy was introduced in the province. According to this scheme, the provincial subjects were divided into two subclasses;

reserved and transferred. Reserved subjects were; finance, land, famine assistance, justice, police, pension, criminal tribes, printing press, newspaper, irrigation, waterway, mine, factory, electricity, gas, vendor, labor welfare, industrial dispute, motor vehicles, a small harbor, and Public services, etc. Transferred subjects; Education, library, museum, local autonomous government, medical assistance, Public Works Department, excise, open, weighing and measurement, control of public entertainment, religious and religious donations, etc.

#### **1.1.12. The Indian Government Act of 1935**

This act had passed by British Indian Parliament has a valuable and significant place in the Constitutional history of India because of the most provisions of this act, has taken by the framers of constitutions of India. The notable features of this act are as follow; establishment of all India Federation. It was imperative for the provinces to join the union, but it was voluntary for the princely states, and this act also mentions about the provincial autonomy, it provided an independent and autonomous constitutional basis by ending the dual system in the province. This act introduced the dual government system at the Center: Some federal subjects [security, foreign relations, and religious matters] were kept safe in the hands of the Governor-General. Cabinet arrangements were made to assist and counsel the governor-general to arrange for other federal subjects, which was responsible for the Cabinet Administrator. This Act provides for the creation of a Central Public Service Commission in India. This act also gives the provision of the federal court which jurisdiction extended to the provinces and states. By this act, the communal electoral system was extended to Anglo Indians, Indian Christians, Europeans, and Harijans, etc.

#### **1.1.13. Indian Independence Act of 1947**

The Indian Independence Act was proposed in the British Parliament on July 4, 1947, which was approved on July 18, 1947. There were 20 streams in this Act. The main provisions of the Act are as follows; establishment of two domains: On August 15, 1947, two dominions of India and Pakistan will be made, and the British government will hand over power to them. The responsibility of the power will be

entrusted to the Constituent Assembly of both Dominions. This act provides the provision that there will be one Governor-General in both states of India and Pakistan, who will be appointed with the advice of his cabinet. By this act, the post of the Minister of India has been terminated. Indian Government Act of 1935 provides the provision that unless the constitution is prepared by making a new constitution by the Constituent Assembly; by that time, the Indian Government Act would govern the rule of 1935. Britain's paramountcy has abolished on the princely states. They were granted freedom to join either India or Pakistan in any state and to decide their future relations.

## **2. Foundational Principle of Modern Indian Polity**

The formation of Constitution Assembly by-election completed in between July to August 1946 and 296 members were elected.<sup>7</sup> In the sixth day of the assembly, Pt. Jawaharlal Nehru delivered his historic speech in the assembly. He clearly said, *"Some people here pointed out to me that our mentioning a republic may somewhat displease the rulers of Indian states. It is possible that this may displease them. But I want to make it clear personally and the house know that I do not believe in the monarchical system anywhere, and that in the world today monarchy is a fast disappearing institution."*<sup>8</sup>

It is not a simple statement, but it has historic importance. Jawaharlal Nehru clearly announced the end of monarchy from future India. Nehru declared it as the 'fast disappearing institution' because the contemporary world was leaving it on a global level. The democratic values were replacing the old norms of the monarchy. This silent revolution was not sudden, but the tremendous and revolutions made it possible. French, Russian, England, American revolutions played a significant role to end the era of the monarchy on the global level. Indian perspective had enough reasons and excuses to reject the monarchical system of government. Monarchy did not unify the nation. The ideals of theories failed in their applied form. King was a servant of the state on theory, but he became the dictator at the ground. Indian

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<sup>7</sup> . Kashyap, Subhash C., "Our Constitution", pp. 36-37.

<sup>8</sup> . Prasad, Bimal, "The Ideas and Men behind the Indian Constitution," p. 11

history has much evidence of biased and cruel kings also. The religious bias many time affected the mind of kings, and they suppressed or promoted the religious groups on their own. For Example, The great King Ashoka sheltered Buddhism, and his whole empire was following his way. It is a different matter that he was harmonious for other religions also, but his principles got collapsed with his disappearance. Harshavarddhan was the last Hindu king with the most significant state. Hindu polity lost its unified form after *Puṣyabhūti* dynasty, and it scattered in uncounted little and large kingdoms. That is why; the constituent assembly rejected the old ways of polity, and it formed its new capable system of government.

What would be the nature of government? It was the big question before the constitution-makers. Speech of Pt. Nehru is quotable here, "*India is bound to be sovereign, it is bound to be independent and it is bound to be a republic.*"<sup>9</sup> The three terms 'sovereign,' 'independent,' and 'republic,' became the foundation of current Indian polity. Modern India's governing system is based on these three principles. First term declared that the nation would have full authority in all the domestic and external matters. All the governmental, legal and other powers will contain within the people of India the elected government will practice the power by the vote of the adult citizen of India. Second term 'independent' is the announcement that India will not be under any other nation or authority. It will be completely independent with all its power and authority, and decision-related to domestic and external affairs needs no approval from other country or institution. It is mentionable here that there are some countries in the present time, which have not full independence in some aspects. Australia is the perfect example in this regard. Southern pacific Australia is a powerful and independent country, but its sovereignty is still under the British crown.<sup>10</sup> However, the Indian constituent assembly announced its all sovereignty and independence within the union of India and Its people. The third term is 'republic.' It is also several meanings and intention. Nehru did not use the term 'democracy.' His use and purpose were not

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<sup>9</sup> Ibid, p. 9.

<sup>10</sup> . <https://onlinelibrary.wiley.com/doi/full/10.1002/9781118455074.wbeoe201>

concerned with words, and he used both terms as the synonym, but overall, the meaning behind the use of ‘republic’ is clear.

Democracy exists in many nations like the United States of America (USA), France, and England, etc. We have our examples in Ancient India’s republics at the time of Buddha and even after him also. Ancient India’s democratic republics were operating collectively as we were in *Mahāhārata* and *Arthaśāstra*, but there was no inclusion of every community and people in republic councils. Most of the republics were the small clans. Some of them were very large, and they were the union of many republics like *Vajji* and *Licchavi*. These republics adopted the governing system where the elite families and some other influential community members were the council members. Ordinary people like the labor communities, agricultural labors, artisans, *Śūdra*, women, and many others were excluded from these councils. That is why; modern India’s Constituent Assembly emphasized the ‘republic’ where the adult citizen would decide their representative, and they will form the government.

### **2.1. Nature and power distribution in Indian Polity**

When the nation adopted the republican and democratic nature of government and rejected the monarchy, the chairperson of draft committee of constituent assembly Dr. B.R. Ambedkar proposed the draft of the constitution and sketched its nature and formation.<sup>11</sup> He had three significant examples of world level great democracies. The United States of America, the French democracy, and the House of Commons based democracy of Britain. Dr. Ambedkar widely explained the nature of all three democracies. The American system was Presidential democracy, where the elected president was the source of legislative and executive power. His cabinet not formed by the representatives but only the president is the decisive factor about his cabinet and other head of departments. The French president has not much power like the President of USA, and the House of Commons of Great

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<sup>11</sup> . Constituent Assembly Debate, Vol. VIII, pp. 31-44.

Britain has not much power like France. Dr. Ambedkar proposed the “Parliamentary system of the executive.”<sup>12</sup>

It was a middle path among pre-mentioned democracies. It is easily understood by the words of Pt. Nehru during the derivation of the post of President, *“First we want to emphasize the ministerial character of government, that power really resided in the ministry and in the legislature and not in the president as such. At the same time we did not want to make the president just a mere figure-head like the French president. We did not give him any real power but we have made his position on one of great authority and dignity. You will notice from this draft constitution on that he is also to be commander-in-chief of the defence forces just as the American president.”*<sup>13</sup>

When the constitution announces India as the “Union of States,”<sup>14</sup> the two important spheres of polity occurred. Those are the Central polity and the state polity but these both are connected. No state can separate from the Union and cannot announce its separate sovereignty.<sup>15</sup>

The nature of current Indian polity is federal as per its characteristics. There are four essential requirements for a federal state. First, is the two sets of government that distributes power and authority. Second, both governments should be independent tax bases. Third, there should be a written constitution to derive the relation and legislative powers. Fourth is an independent judiciary to clarify the disputes and for the explanation of constitutional provisions.<sup>16</sup> The Indian constitution and government complete all four requirements of a federal state.

All these principles implemented on the ground level and the distribution of power and authority occurred in every level of contemporary Indian polity and government. The power of the Central Government divided between the President and Cabinet. The Parliament constructs by the three elements: The President, and

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<sup>12</sup> . Prasad, Bimal, “The Ideas and Men behind the Indian Constitution,” p. 46.

<sup>13</sup> . Constituent Assembly Debate, Vol. IV, pp. 713-715.

<sup>14</sup> . The Constitution of India, Art. 1 (1)

<sup>15</sup> . Prasad, Bimal, “The Ideas and Men behind the Indian Constitution,” p. 49

<sup>16</sup> . Jayal & Mehta, “The Oxford Companion to Politics in India”, p. 44.

the two houses named House of States (*Rājyasabhā*) and the House of People (*Lokasabhā*).<sup>17</sup> The President of USA choose his cabinet by his own, but the Constitution of India constructs the Cabinet by the elected members of both houses and gives it to the President. Means, the President of India cannot appoint the Cabinet members from outside the houses.

The constitution generated a bridge between the President and the Cabinet as the executory element. That is the post of Prime Minister. Constitution gives three duties to the Prime Minister; first, He/She will communicate to the President for informing the decisions of the Council of Ministers related to the administrative affairs and will put the proposals of the legislature before the President.<sup>18</sup> Second, if the President demands some particular information related to administrative affairs of Union, the Prime Minister will make available it to the President.<sup>19</sup> Third, He/She will put the proposal of any minister before the council and the president, which has proposed by the minister but not yet discussed in the council.<sup>20</sup> The post of Prime Minister does not much entertain by the Constitution on a theoretical level, but the ground reality seems very different.

This brief discussion on nature and power distribution shows the difference between ancient Indian polity and Contemporary Indian Polity. King was the source of all power, and the power was effusing from up (from the king) to down (on village level administration). It was the vertical position of power effusion. Current Indian Polity shared the power among many institutions and posts and made it horizontal.

## **2.2. Judicial Principles in Contemporary Indian Polity**

The constitution established one legal system for the rest of the nation, and the power and authority got divided into three principal layers. First is the Supreme courts of the Union. It is the Supreme Judicial council of seven Judges and one

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<sup>17</sup> . The Constitution of India, Article, 79.

<sup>18</sup> . Ibid, Article, 78 (a)

<sup>19</sup> . Ibid, Article, 78 (b)

<sup>20</sup> . Ibid, Article, 78 (c)

Chief Justice.<sup>21</sup> The President of India appoints the judges.<sup>22</sup> The clarification on constitutional disputes, explanation of constitutional provisions, and protection of constitutional values in the nation is the prime duty of apex court of India. If any high courts invert the decision of subordinate courts and give the death penalty to any person, that time, the accused can appeal in the apex court. The President can ask for any constitutional clarification from the Supreme Court if he thinks its necessity. The Apex court will observe and evaluate the circumstances and give its opinion or suggestions to the President if he needs.<sup>23</sup>

The second layer of the judiciary is the High Courts, and these are for state-level judicial affairs. The President of Union appoints the Judges and Chief Justices of High courts after the consultation with CJI of India, Governor of related state and with the chief justice of that high court also, in case of appointment of other judges.<sup>24</sup> High courts are also the constitutional benches for protecting the constitutional rights of citizens and for clarifying the state-level governmental and constitutional disputes.

The subordinate courts are the third layer of the Indian Judicial system. These are existing on the district level. The governor of that state appoints the judges in the subordinate court with the help of state high court, the public service commission of that state.<sup>25</sup> The High court of the state controls all the appointment related, salary, promotion and other matters of the subordinate courts. These are the basic units of the Judiciary. The Public Service Commission can appoint the Judges or the High Court can appoint a lawyer, which have done the seven years judicial practice in the High court.<sup>26</sup>

Indian constitution adopted the Indian Penal Code (IPC) and Code for Criminal Procedure (Cr.P.C.) as the judicial tool. Some special Laws also being inforce with

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<sup>21</sup> . The Constitution of India, Article, 124 (1)

<sup>22</sup> . Ibid, 124 (2)

<sup>23</sup> . Ibid, 142 (1&2)

<sup>24</sup> . Ibid, 214-217

<sup>25</sup> . Ibid, 233 (1 & 2), 234.

<sup>26</sup> . The Constitution of India, Article 233A. a (i)



these two texts like the Hindu Law, Muslim Law, etc. The IPC section 2 clearly announces that any criminal within the union of India shall be punishable by the Law if he/she commits any crime. It means, from the enforcement of IPC, the birth based punishing system got ended.

### **3. Structure of Government**

The constitution of India provides separation of powers between the legislature, executive and judiciary.

#### **3.1. President of India**

Article 52 of the constitution of India provides the provision of the president and states that there will be one president of India, which will be the head of state of the republic India. Article 53 of the Constitution of India provides that the all executive power of the union vest in the president directly or through the subordinate authority with a small exception. In the theoretical form, the president has all executive power but in practice, all the executive power exercised by the prime minister and the council of ministers because according to the constitution of India, the president is a *de jure* executive. It means that the president is just nominal executive authority while the prime minister is a *de facto* executive, the real executive authority. Article 72 of Constitution of India states that “*there shall be a council of ministers with the Prime Minister at the head to aid and advise the President who shall, in the exercise of his functions, act by such advice*” (article 72 of the constitution of India). Thus this article has mentioned that President is supreme, but he cannot exercise his power without the advice of the council of ministers.

##### **3.1.1. Qualifications**

Article 58 Constitution of India refers to the qualifications for the election as president. The primary qualifications are:

- (i) He is a citizen of India.
- (ii) He has completed 35 years of age.
- (iii) He is qualified for the election as a member of the house of people.
- (iv) He does not hold any office or post of the profit.
- (v) He should not be mad and defaulter.

### **3.2. The vice president of India**

The constitution of India provides provision article 63 to article 70 for the vice president of India. Vice president is an ex-officio chairperson of the house of state has a comparatively insignificant role. He plays the role of acting president in the absence of the president.

#### **3.2.1. Qualification of the vice president**

The article 66 of the Constitution of India, has mentioned about the electoral system and the qualification for the post of vice president. The major qualifications are;

- (i) He is a citizen of India.
- (ii) He has completed 35 years of age.
- (iii) He is qualified for the election as a member of the council of state.
- (iv) He should not be the member of either house of parliament or member of any state legislature.
- (v) He does not hold any office or post of the profit.
- (vi) He should not be the mad or defaulter.

### **3.3. The Union Council of Ministers & Cabinet**

#### **3.3.1. Council of Ministers**

According to the constitutional provision, the all-executive power vest in the president but he cannot exercise his power without the advice of the council of ministers. Thus according to article 74 of the constitution, the council of ministers has real executive power or authority. Although the constitution does not classify any rank of the ministers, there are three types of ministers; Cabinet minister, ministers of state and deputy ministers. Constitution has not specified the number of members of the Council of Ministers. Hence, India is a parliamentary democracy, so here every minister of the Council of Minister has two types of responsibility, first is individual responsibility and second is a collective responsibility.

#### **3.3.2. Cabinet**

It is a unit of the Council of Ministers, and it has only cabinet-level ministers who are very few approximately 3-4 in numbers. The cabinet is considered as an essential

policymaker in the central government. The cabinet is the advisory committee of the president of India, and the president is bound to accept the Cabinet decisions.

### **3.3.3. Qualification of Ministers**

The constitution of India did not provide any eligibility criteria to the Council of Ministers or Cabinet, but the ministers should be the member of any of houses of parliament. As it said in the previous section, A member of the council of ministers should be the member of any one house. The president can not appoint any external citizen of India as the Minister. He has to be a member of any house. If he is not at the current time, he has to achieve the membership within six months.

### **3.4. Prime Minister of India**

The prime minister of India is a de-facto executive, the real executive authority in the Indian government system. He is the leader of the majority party in the Lok Sabha and is the head of the council of ministers. The prime minister advises the president to exercise his power and functions, and the advice of PM and cabinet to the president is binding. The Prime Minister works as a communicator between the President and the council of ministers.

#### **3.4.1. Qualifications**

There is no specific qualification for the prime minister in the Constitution of India, but he should be a member of parliament. If he/she is not a member of parliament, within six months, he or she has to be a member of parliament.

### **3.5. The Union Legislature-Parliament**

India has a parliamentary democracy, and generally, in the parliamentary democracy, parliament has the sovereignty, but in India, on the place of parliament, the 'constitution' has the sovereignty because India has also accepted the federal structure of government. Parliament has two houses; Council of States (Rajya Sabha) and the House of the People (Lok Sabha).

#### **3.5.1. Council of the States**

The Rajya Sabha or House of States or Council of State is the Upper House of the Indian Parliament. The council of states is a second chamber of the parliament. In the federal

structure of government, there is a necessity of the second chamber. This house sometimes referred to as the “House of Elders,” represent the states. The council of states members elected by the indirect elections through the proportional representation using a single transferable vote.

### **3.5.2. Qualifications**

The Constitution of India provides the important qualifications of the council of the states such as; (i) he is a citizen of India. (ii) he has completed 30 years of age. (iii) He should not hold office or post of profit under the government.

### **3.5.3. House of Peoples**

Lok Sabha or House of people is the lower house of the Indian parliament. This house considered as the popular house of the parliament

### **3.5.4. Qualifications**

Any citizen of India can be a member of Lokasabha, but he should fulfill some essential eligibility criteria. First, He should be a citizen of India. Second, He should be at least 25 years old. Third, He should not bear any beneficiary governmental post. He should not be mad or defaulter.

## **4. Challenges before Contemporary Indian Polity**

We have a systematic constitution and there are several power holding posts. The division of power had conducted with all its balancing mode. Hence, there are many problems and challenges occur on ground level.

### **4.1. Lack of Constitutional awareness**

In India, there is a lack of awareness of constitutional values, principles, its aim object, and its philosophy, ethics, and morality. Who is responsible for the same executive, legislative, judiciary, media, civil society, or all of them? If one can carefully observe the nature of Indian society, it would be established that Indian people are not willing to accept the IC as a governing principle for the betterment of society. People are bound (by choice or compulsion) to follow their own religious, cultural, castes’ law, rules, usages and customs for governing their personal as well as public life and relations.

It has proved that the Indian State is failed to communicate its citizen about the IC and its values. It happens deliberately not by accident. The Indian State knowingly makes the IC and laws alien to ordinary people. The Hindi translation of IC had done first done in 1989. It was cheating to the nation by the government to not interact with people with the grand law of the land. The students of political science and the law are the only categories those can read the IC and rest of all the disciplines are still untouched by the Indian States to read and learn about the values and philosophy IC.

The India State, not make any dialogue through any means regarding the IC whether the mean were advertisements, Nukkad Natak (Streets plays) policies, program run on-air, and paper.

#### **4.2. Popular Morality versus Constitutional Morality**

Dr. B.R. Ambedkar, the father of the IC, discuss the value of the constitutional morality on his final speech on the IC in the Constituent Assembly. Dr. Ambedkar quotes Grote, the Greece historian about the idea of the ‘constitutional morality.’ Grote stated that<sup>27</sup>:

**"The diffusion of constitutional morality, not merely among the majority of any community but throughout the whole,** is the indispensable condition of a government at once free and peaceable; since even any powerful and obstinate minority may render the working of a free institution impracticable, without being strong enough to conquer ascendancy for themselves." (Emphasis highlighted).

Dr Ambedkar clarified the intention of Grote that what he thought and what he wants to achieve by the constitutional morality:

**By constitutional morality Grote meant "a paramount reverence for the forms of the Constitution,** enforcing obedience to authority acting under and within these forms yet combined with the habit of open speech, of action subject only to definite legal control, and unrestrained censure of those very authorities as to all their public acts combined too with a perfect confidence in the bosom of every citizen amidst the bitterness of party contest that the forms of the Constitution will not be less sacred in the eyes of his opponents than in his own." (Emphasis highlighted).

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<sup>27</sup> [http://164.100.47.194/Loksabha/Debates/Result\\_Nw\\_15.aspx?dbsl=144&ser=&smode=](http://164.100.47.194/Loksabha/Debates/Result_Nw_15.aspx?dbsl=144&ser=&smode=) last accessed on 10 July 2019.

Dr. Ambedkar further highlights the philosophical values of the principle of constitutional morality to govern society as a higher norm:

While everybody recognizes the necessity of the diffusion of Constitutional morality for the peaceful working of a democratic Constitution, there are two things interconnected with it which are not, unfortunately, generally recognized. **One is that the form of administration has a close connection with the form of the Constitution. The form of the administration must be appropriate to and in the same sense as the form of the Constitution.** The other is that it is perfectly possible to pervert the Constitution, without changing its form by merely changing the form of the administration and to make it inconsistent and opposed to the spirit of the Constitution. It follows that it is only where people are saturated with Constitutional morality such as the one described by Grote, the historian that one can take the risk of omitting from the Constitution details of administration and leaving it for the Legislature to prescribe them. **The question is, can we presume such diffusion of Constitutional morality? Constitutional morality is not a natural sentiment. It has to be cultivated. We must realize that our people have yet to learn it. Democracy in India is only a top-dressing on an Indian soil, which is essentially undemocratic (emphasis highlighted).**

What India has achieved the last 73 years after the independence and 70<sup>th</sup> year of its republic and the enforcement of the IC about the constitutional morality. It is established that Dr. Ambedkar statement is proved that **“Constitutional morality is not a natural sentiment. It has to be cultivated. We must realise that our people have yet to learn it. Democracy in India is only a top-dressing on an Indian soil, which is essentially undemocratic”**. That means, neither the Indian States nor the citizen accepts the principle of the constitutional morality in their conduct. In India, minorities are under threat, SCs and STs are waiting for enjoying their fundamental rights; women are still fighting for their dignity; farmers are not getting their value for their hard work.

#### **4.3. Atrocities on weaker sections**

Every day newspapers are full of stories about the atrocities on SCs (Dalits) by the upper castes in rural as well as urban spaces in India. For the protection of the most marginalised sections of the society i.e. SCs Dalits, the Indian Parliament enacted majority two laws first, “The Protection of the Civil Rights Act, 1955”, and second “Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989” which

was enacted on 11 Sept 1989 and commencement on 31<sup>st</sup> March 1995, the enactment date of the act was 8<sup>th</sup> May 1955. These legislations are coming under the provision of Article 17 of the IC that promise to the prohibition of the “Untouchability” in any form in India.

It could be said the intention of the Indian State that how it take seriously the pain of the people those who had to live a life worse than an animal in the past by enacting legislation five years later from the enforcement of the IC in 1950. Latter on this act was proved that it failed to achieve its object and not provide any relief to the SCs and STs of the nation to bring them into the mainstream. It could not restrict the discrimination, murder, rape, and atrocities on SCs and STs, particularly women of those communities. By the failure of “The Protection of the Civil Rights Act, 1955” the Indian government enacted another legislation to ensure social justice to the SCs and STs and enacted “Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989” famously called SC/ST Act. However, the act again becomes a failure to ensured SC and STs to enjoy their fundamental rights peacefully even today.

Today, an SC bridegroom cannot ride a horse in a marriage ceremony; SCs are still denied their right to live in a mainstream located in the village as well as in the urban space. An SC’ boy cannot marry with upper-caste women, and if so, then he has to pay him, and his families live for that. Atrocities are growing day by day instead of decline. It happens only because of the lack of constitutional morality. Peoples were not accepting the IC as norms and lived their lives according to their societal/popular morality, which based on discrimination, segregation, hierarchy, and injustice and unconstitutional principles. Unfortunately, like the village segregations, the urban spaces also become the ghetto for the SCs and Muslims.

#### **4.4. The question of Social Justice**

The preamble of the IC states explicitly about the justice who has the order as social, economic, and political. It is well established in the Indian history that the Indian society was based on the injustice, hierarchy, and segregation that make a massive distance among the citizens based on their castes. Therefore, the founding

fathers and mothers of India, in the constituent assembly, unanimously made the provisions those are responsible for the fulfilling the idea of social justice in India for historically weaker sections (SCs/STs/OBCs and women) of the society.

The preamble, Part III, and Part IV are having the explicitly and implicitly various provisions those guarantee to the weaker sections to undo the historical injustice committed by the higher castes and make them an equal citizen.

There are various scholars describe the IC as social and moral documents. The jurist Granville Austin describes the IC as “social revolution” Gopal Guru describes it as ‘social document’ and Rajeev Bhargava defined it as ‘moral document.’

For the social justice commitment, the central and the States governments are enacted various legislations and started multiple programs and policies. But most of them are inadequate to cater to the need for social justice. The reservation is not fulfilling; accordingly, the implementation of the SC/ST act and other related acts are abysmal. Education becomes the commodity, and those who have the money only can purchase it. The State denied the necessary medical and education facilities to the most disadvantaged groups of the society by introducing liberalization, privatization and globalisations (LPG) policy in India.

#### **4.5. Minority rights and their inclusion in the nation-building process**

The minority of any kind in anywhere on this planet are treated as a second class citizen and not enjoying the rights, power, and immunities as equal to the majority. The minority can be the basis of religion, race, and caste, and creed, place of birth, color, sex, age, dress, language, and political ideology, and so on. India is not an exception to the world. World history forced us to consider that any majority violated the minorities’ rights and forced them to live lower than their living standard. In the United States of **America, till 1970, Blacks** were not allowed to giving vote and study under one roof, travel in one bus by Whites. Europe also has the same kind of examples. **Germany**, in II World War, murders the millions of Jews just because they were minority religion there.



India, there were various riots, and war happened against the minorities. During the Independence, India, and Pakistan both had witnessed the killing of millions of Muslims in India and Hindus and Sikhs in Pakistan. Indira Gandhi, the Prime Minister of India, murdered by Sikh after her action against the Khalistan supporters. The result was very horrible because thousands of Sikhs were killed by Non-Sikh people and supporter of Mrs. Gandhi. Uttar Pradesh in 1993, faced the ugly communal violence after the demolition of Babari Mosque in Ayodhya. Muslims become victims of the riots and killed.

Muslims are killed in the name of cow protection by the cow vigilante groups under the protection of the States and Central governments. Woefully, the laws relating to the cow are more powerful than the minorities in India. And the implementations of these laws are also more stringent than laws relating to protecting women, SCs and STs.

Sexual minorities are also facing the same problems. LGBTQ communities are not getting a respectful space in the Indian social milieu. Post *Naz Foundation v NCT Delhi* (2009) verdict the voice of same-sex peoples comes into the mainstream. In the Naz Foundation verdict, the Delhi High Court decriminalizes the same sex and read down the section 377 of the IPC 1860.

But unfortunately, in the *Suresh Koshal* (2013) verdict, the Supreme Court of India reversed the *Naz Foundation* verdict and held that section 377 of the IPC is constitutional. Finally, in the case of *Navtez Johar v Union of India* (2018), the apex court of the nation recognized the dignity of the same sex people and declares that section 377 of IPC is unconstitutional.

The famous US legal jurist **Ronald Dworkin** in his worldly acclaimed book 'Taking Rights Seriously' argued that unless the State is taking rights seriously to the minorities, then the State cannot take the constitution and democracy seriously. The Indian State must consider the rights and dignity of the minorities for their existence seriously. The contribution of the minorities must be accepted in the nation building. Unfortunately, the contemporary era forgets the contribution of

the Muslims, SCs/STs, and women in making India. In the independence fight, all communities did fight against the Britisher to getting independence.

No one claim that only Hindu or a particular political party only fought for freedom. The State must consider their religious, cultural and fundamental rights, which are provided under the IC under Part III. Their rights must be exercised as the majority enjoy their rights in every corner of their lives. No country can become an egalitarian one unless and until the majority denied the existence and rights of the minorities. In conclusion, minorities are facing so many challenges in India to enjoy their fundamental rights, and the State must consider them now and immediately.

#### **4.6. Lack of awareness towards fundamental rights and duties**

The Indian State deliberately does not aware of the citizen for their fundamental rights and fundamental duties. There is no discussion on the IC by the legislators and other State actors. People do not know that how the powerful the IC that provides them with their fundamental rights of equality, equal opportunity, freedom of speech and expression, right to life and liberty, freedom of professing any religion and beliefs, rights of minorities, from exploitation and forced labor and so on. The untouchability is existing even today, but the people do not know about their rights and constitutional remedies.

Freedom of speech is the fundamental right given by the constitution of India to its citizens.<sup>28</sup> Unless and until people know their rights, they cannot fight for that. In other words, peoples cannot enjoy their fundamental rights until they know about them. The question arises here that how can people know about their fundamental rights and duties? Who will tell them? Who has the constitutional obligation to tell people regarding their rights and duties? It's simple, and it's the state which under a constitutional obligation under Part IV of the IC, i.e. Directive Principles of the State Policies (DPSP). The State must make awareness about fundamental rights and duties in the nation through various means.

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<sup>28</sup> . The Constitution of India, Article 19A, (i)

#### 4.7. Dangers before Electoral democracy

**Amartya Sen** categorically argued that “democracy is not all about the election; it’s about the participation of the people.” How can the ‘participation’ ensure to take consider every section of the society, represent all community members in the legislation to ensure their existence while the laws are framing? In a democracy, it is an ‘election’ through which people can vote and chose their representative. The election can be direct or indirect. For the Lok Sabha, State Legislative Assemblies and local elections (municipal and panchayat elections) are conducted indirect voting system, and the indirect way conducts rest of the other elections.

In a **direct voting election**, there are chances that the religious or caste majority can be won the election on the name of nationalism and development and so on. By direct forcing, political parties are giving threat to the citizen to vote in their favor otherwise they will face the consequently, political parties make an atmosphere of fear in the psyche of majority against certain caste or religion or minority that in future that certain caste or religion can rule over you, to save yourselves do vote for us. There are ways of direct forcing people as using money power, muscles power so on. People are generally forced (directly or indirectly) to vote to the particular party.

Indirect ways of forcing the people to vote are as misuse State machinery power in favour of the ruling party. In 2019 general election, the ruling party BJP misuse its power though **government agency** by not given equal space to Congress party on Air India Radio, Rajya Sabha TV, Lok Sabha TV and other advertisements means those can influence the voter. The question on the authenticity of The Electronic Voter Machine (EVM) raised by the opposition political parties, civil society and intellectuals.

Distributing liquor, clothes, money and food in public by the political parties is becoming a serious threat into the free and **fair elections**. Voters especially poor, are easily influenced by these attractive articles; consequently, they vote for the party who spent them more.

#### **4.8. Condition of Justice and Judiciary on Practical ground**

In India, besides the Supreme Court for India, each States has its district and High Courts. Each district courts have their original jurisdiction for their respecting civil, criminal and financial suits. Districts courts are called 'lower courts' and 'court of law', High Court and Supreme Courts called 'higher judiciary' and 'Constitutional Courts'. The districts courts are having a heavy burden than High Courts and Supreme Court. In th Constitutional Courts, there are limited original jurisdiction can arise and large part deals with appeals the lower courts and tribunals.

##### **4.8.1. The Original Jurisdiction of the Supreme Court of India**

Except hearing applies, writs, special leave petition, ancillary jurisdiction, the Supreme Court of India also has its original jurisdiction as:

131. Original jurisdiction of the Supreme Court.—Subject to the provisions of this Constitution, the Supreme Court shall, to the exclusion of any other court, have original jurisdiction in any dispute—

(a) between the Government of India and one or more States; or

(b) between the Government of India and any State or States on one side and one or more other States on the other; or

(c) between two or more States, if and in so far as the dispute involves any question (whether of law or fact) on which the existence or extent of a legal right depends: Provided that the said jurisdiction shall not extend to a dispute arising out of any treaty, agreement, covenant, engagement, sanad or other similar instrument which, having been entered into or executed before the commencement of this Constitution, continues in operation after such commencement, or which provides that the said jurisdiction shall not extend to such a dispute.

##### **4.8.2. The pending of the cases in the Indian judiciary**

Chief Justice Dipak Misra sounded the alarm on rising pendency at a time when the situation is almost getting out of hand with the backlog touching 3.3 crore cases. While 2.84 crore cases are pending in the subordinate courts, the backlog clogging the High Courts and Supreme Court (SC) is 43 lakh and 57,987 cases, respectively. According to National Judicial Data Grid (NJDG), the five states which account for the highest pendency are Uttar Pradesh (61.58 lakh), Maharashtra (33.22 lakh), West Bengal (17.59 lakh), Bihar (16.58 lakh) and Gujarat (16.45 lakh).

The CJI is particularly concerned as large number of undertrials languishes in jails across the country as they don't get bail and many even spend more than their sentence once they

are convicted. Of all the pending cases, 60% are more than two years old, while 40% are more than five year old. In the Supreme Court, more than 30% of pending cases are more than five years old. In the Allahabad High Court, 15% of the appeals have been pending since 1980s, while in the MP High Court, 70,000 have mounted since 1994<sup>29</sup>.

#### **4.8.3. An Expensive Justice**

In *Śukranīti*, the idea behind justice was to reimburse the original position of an individual before he/she was subject to injustice. Justice is the process to undo the injustice. For the matter of civil or criminal suits, justice in the legal process must not be too expensive. The legal profession becomes a business and advocates are joining the profession to earn money from their client irrespective of their social, political, cultural, educational or economic status.

In India, top advocates are charging their fee with thousands or lakhs of rupees for meetings in the name of consulting fee. A weaker or poor people cannot hire an expensive advocate for her/his case. It became a trade, who has more money to invest for getting benefits or profits, a client must have an expensive lawyer who can take his/her fee in 4 to 6 digits of money. If legal fee by the professionals raises high, then how someone can get justice by taking the service of a common, less skilled or less competent, less experience, less-English speaking or a poor advocate, the object of justice will get frustrated when the high imbalance fee charged by the legal professionals.

#### **4.8.4. Justice Delayed Justice denied**

In India, the average time of a legal suit goes up to 30 years. There are many famous cases<sup>30</sup> in Indian judicial history, which considered as the delayed process of the Indian legal system. Because of overpopulation, there is a large number of cases filed before the courts. Lack of quality infrastructure, scarcity of judges and public

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<sup>29</sup> 3.3 crore cases pending in Indian courts, pendency figure at its highest: CJI Dipak Misra Business Today, 28 June, 2018, <https://www.businesstoday.in/current/economy-politics/3-3-crore-cases-pending-indian-courts-pendency-figure-highest-cji-dipak-misra/story/279664.html> last accessed on 12 July 2019.

<sup>30</sup>. Babari Masjid dispute is continuing since 1992 and it still pending in the Supreme Court of India.

prosecutors, are the core issues of pending of the cases and delaying in the justice system. The State is deliberately not spent a good amount of its GDP on the judiciary to cater to the need of the society for getting justice. India has a less number of judges and population share in the world. In other words, there should be adequate judges and population ratio in a country to deal with the cases.

#### **4.8.5. Difficult law procedure**

India has adopted the difficult legal procedure which is also equalled responsible for becoming a hindrance in getting justice. Because of the lengthy and difficult legal procedure adopted in the India, the Indian legal system denied the speedy justice to its citizens. To make some relaxation the difficulty, the State did change in the judicial system and introduced some procedure that can help in the speedy trial. Those provisions are:

- Introduction of Plea Bargaining Provision
- Introducing Lok Adalats
- Introducing Fast Track Courts
- Introducing Special Courts
- Introducing Tribunals
- Introducing the ICT in the judicial functions
- Established an advanced laboratory and forensic science laboratory to help in finding out the best evidence
- Introducing juvenile courts

#### **4.8.6. Police inaction**

Police have the investigation part of any trial or case. It has to be fair and produce the best evidence and facts before the courts. But unfortunately, Police played a non-satisfactory role in the justice delivery system. It causes negligence and inaction to the weaker sections of the society by not fulfils its constitutional obligation to protect the citizen. It comes under executive directly, and by the executive influence, it's fabricated the facts and evidence and delayed in the investigations. In many cases, it submitted final/closer reports or charge sheets reports before the court in many years (up to 20 or more years) which is a denied

to the justice. The Police must be neutral and work according to the constitutional obligation.

#### **4.8.7. Lawyers' negligence**

Though lawyers are the officers of the courts, however, they are contributing in the delaying the case. Lawyers are very often doing strikes on some deserve or some underserve issues. For their survival or income, the lawyers have deliberately delayed the matter so that as much case/trial go long, till then, the client is bound to pay him/her advocate. Unnecessarily, the advocates are taking long dates for the next hearing to make trial long. To making justice fruitful, this approach must stop.

#### **4.8.8. PIL become Political Tools**

The concept of Public Interest Litigation (PIL) introduces in India in the case of *S.P. Gupta v. Union of India* in 1981<sup>31</sup> and *Bandhwa Mukti Morcha v Union of India*<sup>32</sup> 1987 to make relaxation the stringent provisions of the law. PIL suspend the *locus standi* (right to go to the court) principle for addressing the plight of the weaker sections of the society because of poverty and other social and economic hardships. The Supreme Court of India stated accepting writ petitions on behalf of the public by lawyers, activists and academicians.

Extraordinarily, the Supreme Court of India, accept a letter a writ or PIL to do justice with the most disadvantaged sections of the society. It was a great idea inserted by the Indian Supreme Court in the Indian judicial system. However, at present, it becomes a political tool for the political parties to take judgement in a manner that helps them politically. Right now, PIL is not serving justice. It deviates from its originally object to serve the poor or marginalised sections.

#### **4.9. Regional challenges**

In contemporary Indian Polity, the upper caste dominance as exists as it was an exit in the ancient Vedic time. The upper caste captures almost all decision making posts. The lower castes are still fighting for their existence and self-respect. By the

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<sup>31</sup> AIR 1982 SC 149

<sup>32</sup> 1984 AIR 802

IC's representation or affirmative action policy, around fifty seats are reserved for the lower and backward castes. But this constitutional mandate is followed till date by the upper castes because since India got independence in 1947 and after the implementation of the IC, the upper castes were educated and almost held the entire State services, and educational institutions are full of their children. Reservations cannot implement by its spirit in India till date.

About the fourth class jobs, the reservation is only fulfilled otherwise if you go to higher education, judiciary, media, sports and other sectors, there is a sorrow picture of the reservations. The dominance of the upper castes in Parliament, State legislatures, judiciary, media, arm forces, academics, acting and theatre, Bollywood, sports and other area are omnipresence in India.

Besides the caste issue, gender discrimination and human rights violations are big threats and challenges to the Indian polity. Gender discrimination is the fruit of caste system which fixes a person social status upper or lower just based on that a person is born in a certain caste. The birth of a person established that how he/she can be treated in society. What will be his/her status in the social transitions? The concept of caste and gender are survived together. One who believes in the caste system must believe in gender discrimination. The IC categorically states the 'equal pay for equal work', but the picture is entirely different on the field. Except for government services, women are not getting equal pay as men got.

Whether it Bollywood, TV, radio, sports, media, all informal and private sectors women are not getting equal pay as men getting. Women are still facing problem in the family for equal property rights. The violence against women, rape, molestation and domestic violence are going high day by day in India. The abusing of women on social media becomes the norm. The state is allowing disturbing elements on social media to dehumanise and abuse women and other weaker sections in the society.

Human rights of Dalits, Tribals and women are frequently violating in India. The newspapers are going full of such news about the human rights violence of the weaker sections of India.



#### **4.10. Party system of Democracy: it's good and bad impacts**

There are various forms of governments' such as monarchy, dictatorship, democratic, communist, and so on— exists in the world. Our forefathers and mothers had chosen a democratic way of governing principle. Democracy is by the people, for the people and to the people. Directly or indirectly, peoples are the centre in the democratic process. It is people who can choose the government from top to bottom, either direct or indirect. People chose a candidate in an election as their representative who will make the law, form the government and provide them with good governance for the betterment of their lives.

In a democracy, in general, either people can fight independently or form a group called the political party to spread their ideology to serve the common. For the form, a government one needs to form a party and contest the election. To facilitate the election, there are independent candidates and political parties' candidate who contest the election. Therefore, political parties are necessary to contest the election and serve the nation. India is a cultural, multi-religious with having thousands of languages. It seems impossible that a one-person without any party or organisation can contest an election and become Prime Minister or President of India.

Unlike everything, every person and every ideology' good and bad aspect, the party system in democracy and particular in India has pros and cons. For pros, a party has its ideology, commitment and accountability for its good or bad performance. A party whenever its comes into the power, cannot do anything wrong or do injustice to the nation or any citizen because in the long term it wants to win again by won the faith and beliefs of the people. Every policy, decision and law propounded by the particular party forced to that party to work under the constitutional and democratic means. If that party cannot accommodate the constitutional values within its governance, it becomes accountable for the same and will not come in power in the next coming years.

For cons or the demerit of the party system, the world history forced us to think that by the democratic process and even with having a constitution how a party can destroy the nation or a particular race, caste, class or religion. Democracy also has

its limits. By the liberal aspect of the democracy, allows various kinds of propagandas, ideologies and commitments in a nation. Some ideology, which has dangers principles or can undermine certain kinds of groups must not protect in the name of a party. Some party based on communalism, religion or caste, then how can one believe that that party can do justice with the nation or with all other people out of the boundaries of the ideological position of that party.

Nazi in Germany, both parties in the US and UK and other parts of the world, were claimed that they would serve the nation under the guidelines of the constitutional democracy. However, the result was entirely different. Mohammad Ali Jinnah's party called "Muslim League" formed for the benefit of the Muslim but end a separate religious nation called Pakistan. The Rashtriya Swam Sevak Sangh (RSS) also formed at the same time of "Muslim League" to serve the Hindus. At present, it is working towards making India as the Hindu nation.

The party systems do propagate certain kinds of ideology and propaganda to take a nation on a good or wrong way. If a party has a communal agenda and has a large number of its member and supporter, then one day they certainly will reach to every institution particularly in the Parliament, that will surely degrade the nation's pride or spirit which have to be preserved by the forefather of the nation. However, the other concerned party must have to do some work to counter that kind of parties by their true nationalism or love to the diverse culture of the nation. The good or bad aspect of an institution lies on the intensity of the commitment of the people who love to the nation within or without party system. If people are truly concerned with constitutional democracy, then the party system cannot do any harm to the nation or any person.

#### **4.11. Corruption in Executive and other systems of governance**

Corruption has become a national deadlock in the development of the nation. No institution is free from this disease. However, the intensity of law or high is there. In another word, some institutions are champion in doing corruption, and some are somehow hiding it by any means. Among the three organs of the State, the Executive is has a large number of corruption records in India. Many times, the nation has experience of the corruption in the legislature and the judiciary. It is

woefully situation that sometimes the news of corruption comes from the judiciary particularly. It must be presumed a neutral institution with having a high constitutional ethical value that must be maintained by the judiciary at any cost, otherwise, a common individual will lose his/her faith in this great institution of justice.

In India, there are laws to the control, prohibit and punish the corruption, but those laws seems unsuitable. People are evolving new methods for doing corruption. There are various variables behind the intention of corruption such as greediness, identity crisis, and desire to become wealthy, to uplift his /her economic status in the society. The root causes of all such problems are the decline of the moral values of society. It would harm the democratic institutions gradually and finally would lead towards the anarchy. When common people lose their faith in the institutions because of the corruption and other inactions of the State, then, consequently, one-day people will revolt against the nation to change the system. Therefore, at present, corruption is the biggest challenges before the Indian democracy. Unless and until corruption will stop, the nation cannot grow.



## Chapter – 5

### *Śukranīti* and Contemporary Indian Polity

After the analysis and study of ancient and modern Indian polity, it seems very tough to apply old values in the new era. It seems almost impossible at first sight due to vast differences between ancient political parameters and new political scenario. The nature of government in ancient time was very different. Definition of social equality, justice, and harmony got new shape according to the new mentality. Concept of the *Cakravartin* emperor seems only on the text in ancient time, but there were two or three kings extended their state boundaries and got the status of *Cakravartin*. Current qualifications for various legislative posts also differ from the past. Overall, it seems very tough to apply old values in a new era. There are many differences, but the profound and unbiased way of thinking and observation reveals a relation and similarity between ancient and modern Indian polity. The objective of the constitution is the same in both places. The welfare of the nation, the sovereignty of the state, the existence of a ruling body, the bureaucracy, judiciary, the role of the ordinary citizen in nation-building process and many other aspects have equal similarity in both ancient and modern Indian polity.

The *Sabhā* and *Samiti* in the early Vedic period seem in a modern parliamentary system where the two houses still exist in the form of *Rājyasabhā* and *Lokasabhā*. One was open for ordinary people, but second, was only for old and intellectual people. *Rājyasabhā* is the upper house in the modern polity, and that has a similar process and importance. The post of the king was not inherited in the early Vedic period; both the committees had been choosing their king or the leader. This style of electing the ruler or clan leader had been following in the post-Buddhist era in many republic states. The cabinet, as the advisor and assistance of the king, existed in the ancient political system, and it occurs still in the democratic system of governance. Modern Indian constitution does not pay attention to the prime minister. Cabinet, the President, are the two main legislative powers, and the prime minister is only the bridge between the cabinet and the President. The members of the council were the chief of many departments as it analyzed in the first three chapters; this

spirit seems in the current governing system also. Only the selection process, formation, and duration of government, the electing process and its republican face seem different, and that is the evolution, not the different. Such type of many similarities still bounding both traditions. The nature of bureaucracy and its importance as the backbone of the state is equal and similar importance in current time. The centralized governmental power has divided into the federal government system, but the importance of power and its role in the nation-building process got no change. The king was not the dictator in Indian tradition, and he was strictly bounded with the welfare of people and state. King was only the servant of the country, and he had advised taking only one-sixth part of the income of people as his salary. He was also bound to consult with his cabinet before any policymaking or its implementation.<sup>1</sup>

The same spirit seems in modern Indian polity. The president of the union of India is the commander of armies like the ancient king. All governmental works take place by the name of the president, but he cannot apply his powers without consultation of the cabinet and its permission. The post of Prime minister in central government and the post of Chief Minister in state-level seems very similarity with ancient kingship. Remarkably, the constitution of India does not entertain these posts in its ideal form, but both positions have much importance in the practical ground.

Ancient Indian kingship was the source of all governmental power, and it was the supreme authority. King was the supreme commander of the army of his state, he was the chief justice of his state, and he was the first bureaucrat. In one sentence, the king was the only source of power. This unified power distributed in three main authorities in the federal structure of government. Now, the first citizen of the nation is the President of India, and he is the commander of Army, Navy, and Airforce, but he cannot operate the government by himself. He cannot initiate any action without consultation of the cabinet. The judicial power separated from the legislature and the chief justice of India has a separate identity. The CJI does not work under any government, but he gets the appointment by the President. The

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<sup>1</sup> . Śukranīti, 2.1-4.

judicial power, the explanation of constitutional terms and protection of constitutional values, spirits are the supreme duty of Judiciary, but the President gives final decision if any death penalty takes place by the Law. Dr. Ambedkar summarized all these constitutional provisions and power-balancing statements in the sessions of constitution assembly during his speech.<sup>2</sup>

There was no one particular and complete legal book before the current Indian constitution. There were unnumbered of *Dharmaśāstra*, *Smṛti*, their commentaries, and many temporary forms of governments. Various states were obeying their codes of conduct. There seems no one book or constitution. The tradition of *Dharmaśāstra*, *Nītisāstra*, and *Arthaśāstra* had been carrying by little to large states and kingdoms. The Mughal sultanate established their constitution, which was based on Hindu and Muslim laws. However, it is the truth that there was no permanent and complete constitution existing before Independence. The constitution assembly announced that from now, India would follow only one constitution and no state can create its separate constitution.<sup>3</sup>

Power consists of President in theory, but it seems in the post of Prime Minister in practical. It happens because of the structure of the constitution and its power distribution among the legislature, executive, and the judiciary. The prime ministerial tenure of Pt. Jawaharlal Nehru and Indira Gandhi is remarkable in this context. Nehru's contribution in constitutional assemble and his decisions during his PM tenure proved the executive power of this post. The Indian stand-in, the United Nations, was the idea of Pt. Nehru. India did not involve in any particular group, and it took the neutral position among the many groups. This idea of Pt. Nehru became very fruitful, and India got reputational place and importance in this diplomatic way.

The separation of East Bengal as Bangladesh was the historic and audacious step and contemporary Prime Minister Indira Gandhi took that step. The occupation of Pakistan over

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<sup>2</sup> The Ideas and the Men Behind the Indian Constitution, pp. 42-65

<sup>3</sup> . The Ideas and the Men Behind the Indian Constitution, p. 49

the East Bengal ended by this army based diplomatic action. Indira Gandhi's courage among various international pressures became successful due to her mental strength and quality of leadership.

The "Smiling Buddha" operation during the government of Shri Atal Bihari Vajpayee has similar importance in this regard. It was the successful nuclear bomb explosion test. It was successful, and America failed to stop it because of the strength of Shri Atal Bihari Vajpayee. The minority rights in India has been denied since ancient time. The Mandal Commission recommendations came into force only because of Prime Minister Shri V.P. Singh. There was no separate treatment for the Other Backward Classes (OBC) in India. V.P. Singh, as the Prime Minister, initiated it and executed the recommendations.

These are practical examples of executive power and idealistic constitutional approach. Such leadership in any operation or initiation reminds the time of *Aśoka*, *Harśa*, and *Vikrāmaditya*.

The principles are much similar than the governmental structure. The king's moral duty was to protect the subjects as their servant. Social harmony and peace for development and progress. The current Indian constitution created many institutions and organizations for the same purpose.

Contemporary Indian Polity does not need any reformative suggestion about its theoretical aspect and the system of government. It is very inclusive and ideal on a written level. However, the ground realities are very anxious and disappointing as we saw in the previous chapter. The constitution seems no-fault, at first sight; the system and machinery seem no damaged on paper. Then, where is the source of problems and how they grew on the ground of reality? The careful and deep observation reveals some hazardous issue and causes of failure.

### **Directions for citizens according to *Śukranīti***

A first and most important cause is the lack of education and awareness among the average citizen of the nation. As we have been observing that, the entire political institutions had created only for the safety, security, progress, and welfare of ordinary people. When the



Vedic people first time appoint a strong man as their King, it was the contract between that man and familiar people. However, familiar people were also very aware of their duties and responsibilities. The common people created the councils and regularly gathered for a discussion on issues and disputes. Such type of awareness disappeared from contemporary Indian citizens. After independence, nobody initiated any step for eradicating social conflicts. The common people have been following their leaders only. If we escape the party based gathering or organizations, there are rarely some organizations, which are, dedicated to aware the people about the modern constitution and its values.

*Śukranīti* seems very aware of the social responsibilities of common people. The third chapter and fourth sub-chapter of the fourth chapter only regulate the common people of the state. The ancient social and political thinkers were the great sages, and they had always been visiting the societies of the state by walking on the door to door for direct observation of social status of people and their faith on the *Varṇa*-system and other social practices. The common citizen, even the illiterate *Śūdra*, was aware that he could not study the Vedas, and he will only serve for *Dvija*. The *varṇa* system was carried not by the king but by the common people. These people were getting direction from the social elements, which were existing among them.

This spirit did not develop in Modern India. We created a very well democratic culture on papers and made massive rules but the awareness about democratic values; constitutional rights did not propagate within the common people by non-governmental organizations or people. The illiterate man was aware of his *varṇa* duty, but an educated man is not aware of his constitutional rights and duties in Modern Indian society. It is unfortunate coincident that India's common people are still very far from the current constitution.

The contemporary world is passing through the information revolution. Almost everybody has digital devices, and all are continuously observing the activities of the nation, society, and polity. But there is no mechanism for giving them guidance related to constitutional awareness. *Śukranīti* directed the common people to avoid the ten highly condemnable sins,<sup>4</sup>

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<sup>4</sup> . *Śukranīti*, 3.6

but there are no such directions provided by the system or constitution. This important matter has left on the man. Fundamental rights got secured by the constitution, but there is not any parameter to scale the level of truth and untruth in the current society.

The digital media is blindly providing the majority of misinformation and rumors to the people, and the careless modern citizens kill any targeted person by wrong influences. It is happening on the ground, and no government or machinery can stop it. The cause is the carelessness of common people.

Ancient seers, sages, and the few numbers of ruling communities were successful in telling the people their duties and faith on the government and system. The caste system and untouchability was a ruthless system of human history, but nobody raised voice against this system at that time. It happened because of extra care of the society and active participation of common people. Modern India's this aspect has been denying since the implementation of the constitution. Only some governmental departments are advertising the constitutional values, and all effort is taking place under governmental schemes. Nobody from society come forward to spread the great human and constitutional values.

There is an unlimited number of digital and print platforms of information, and all are touching the religious sentiments of common people, but nobody is touching the constitutional values for the sake of nationalism. When the sage directs the common people to avoid the bad habits like cruelty, criminal nature, undesired aptitude, poverty, and many other activities, which make his wife detached with him,<sup>5</sup> the attention of seer is intense and concerned with the purity of character of the common person. The seer had full conscious that if the household gets corrupt, the basic system of production will get damaged. If the society faces such kind of cruel people, all the order will be collapsed. It was the great sense of ancient India's polity and sociology. Modern Indian society and government have been failed to secure such purity of character of its common citizens. All it happened because of a lack of value education. Only the compulsory teaching of constitutional values and humanity can create constitutional awareness. It should be included in every educational

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<sup>5</sup> . Ibid, 3.21-22

degree and study. We have a mass of medical, engineering, and technically educated people, but our Science and technology institution have no trustable and practical mechanism for giving practical training for being a democratic and responsible citizen.

The Vedic education was not allowed to the *Śūdra*, but the rest of the communities of Aryan were able to study Vedas. Almost every political and social institution recommended Vedic education for all its eligible students and people. The intellectual community was the bearer of Vedas, but this teaching was also compulsory for Trade and governmental communities. The reason was only to aware of the people towards their significant humanitarian duties. The Vedic study was making them very loyal towards that time's social system and government. There is no such ineluctability seems in the modern education system.

Governments and institutions should teach and practice constitutional studies as a compulsory subject. The ruling communities and leaders should follow the democratic values in their daily conducts.

### **Principles and guidelines for rulers according to *Śukranīti***

The starting the ending of this text emphasized on political education and awareness of the king. Modern Indian constitution allows all its citizens to be the member of any institution like the legislature, executive, or judiciary. The bureaucracy and judiciary measure the qualification by the academic and conduct based parameters but there is no particular criteria for being a politician. As we saw in the fourth chapter, only some general minimum requirements needed. Sometimes, any party intentionally put forward the weak and ineligible for their interest. Among many inadequate provisions, it was the remarkable provision of *Śukranīti* that only the well aware and politically educated man will be the king. Only the excellent conduct people with great expertise could be the ministers and secretaries in the departments at ancient time.

The council of ministers is the second important element of the current executive body of government. But there is no parameter of filter for a candidate, that can scale the level of purity of character, faith in Indian constitution of the candidates. Constitution gives the right

to every citizen for being the part of the government, but most of the time, only the rich and muscled people snatch the position through their high-level networking within the system. Lord Buddha cautioned the king and his ministers to not providing the shelter to such type of evil people.<sup>6</sup> These people capture great posts to maintain their business, and most of the time, they use their power and authority to misuse the resources.

The system of Judiciary is very rich in its theoretical forms. We adopted several numbers of laws and treatments, but the ground reality of Indian Judiciary is terrifying. *Śukranīti* directed the king about the judicial reforms. The system should never punish the un-guilty person, and he should never leave the accused.<sup>7</sup> The state should secure justice within a given time and under the affordable charges/fee.<sup>8</sup> There are 59,695 cases are pending in the Apex court of India till first of July, 2019.<sup>9</sup> There is no rule for lawyers' fee. They decide on their own. Many cases are under procedure due to intentional delay by one of the party. *Śukranīti* favored the common and victim in this situation and directed the king to determine the payment of lawyer and also give justice to the victim as soon as possible.

*Cāṇakya* made the courts according to human density and population ratio. This formula should be followed by the modern governing system also. There are a few high courts in the country. Some High Courts are dealing with two state-matters. Not all these are the good sign for the healthy, transparent, loyal, and trustable judiciary. The current judicial system has much room to learn from the legal principle of this text.

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<sup>6</sup> . Chapter 1, Section, 4.4.2.

<sup>7</sup> . Chapter 3, Section 5.3

<sup>8</sup> . Chapter 3, Section 8.6-8.8

<sup>9</sup> . <https://www.sci.gov.in/statistics> last accessed on 22-Jul-19, 11:05 AM.

*Śukranīti* does not favor the death penalty.<sup>10</sup> It is the supreme virtue of Indian political thought. *Śukranīti* is the single text, who boycotted this cruel punishing system. It does not mean that he banned the death penalty, but he directed the king to maintain law and order on its highest level of the ideal. Rulers should provide its entire citizen a peaceful atmosphere and secured livelihood, so that, all the possibility and circumstances of murder cannot take place in the state. Whenever the crime increases in any nation or state and any system of government, it means the governing people are weak, and they cannot deal with political, administrative, legal, and social issues.

### **Principles for Council of Ministers**

Ancient India's system and the provisions of *Śukranīti* are for a monarchical system of government, where the king had all the powers to appoint anyone on any post. However, he was bound to consult with his ministers. *Śukranīti* forced the king to consult with the ministerial board. Even the king should not take any governmental step without consultation of ministers.<sup>11</sup> India's modern constitution did not mention separate or unique qualifications for ministers. Only the elected member can be the central minister or state ministers of the deputy ministers. *Śukranīti* is silent on the caste and unique qualities of the king, but it is very conscious about the qualification ministers.<sup>12</sup> Their character should be very pure, and they should know politics like an expert. Their intention towards the nation should be faithful, and they never feel any fear during the truth-speaking in front or behind of the king.

### **Safety of the Women**

It is an essential aspect of the nation and society. The male-dominated whole cultures have on a permanent problem, and that is the safety of women. Our current society is passing

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<sup>10</sup> . *Śukranīti*, 4.1.92-93

<sup>11</sup> . *Śukranīti*, 2.2

<sup>12</sup> . *Ibid*, 2.7-9

through a deplorable condition from this point of view. The Vedic study in the first chapter and study of *Mahābhārata* proved that only the safety of women and their happiness is the base of a progressive, developed, and secured country. The *Smṛti* literature borrowed onerous rules and regulation on the women but did not moderate the males. However, *Mahābhārata* said that only that state is called the secured state, where the ornamented women can walk freely without any fear. *Śukranīti* delimited the women in the home and borrowed all the domestic works on her hands, but it warned the man also at the same time. India's war ethics do not allow the attack on any woman. We have many female Gods. But the ground reality is a little bit horrible. Modern society seems much corrupted that past. Now the domestic violence, communal violence, rape, and murder all these corrupt practices occur in the nation, but the systematic legal system is getting fail to save the women.

### **The Inclusive Principles for whole of the Nation**

Modern constitution created the party-based electoral system for the formation of the new government. The nation has eight national-level parties and forty-eight state-level parties.<sup>13</sup> Every party has its separate agenda, and they execute their mentality to the rest of the state of the nation. Many time the ruling party discriminates with opposite party supporters. This evil face of politics is very much affecting the nation and society. The caste, region, language, and many other greeds are the root cause of such kinds of discriminations. The interpretation of the constitution sometimes creates a discriminative atmosphere.

Ancient India's system was unique from this point of view. There were many atheist scholars and social reformers at that time also, but nobody was harming to the opponents as we see it around us nowadays. We saw in the *Rāmāyaṇa* section of the first chapter that Rāma is listening to the arguments of Jābāli, and he did not insult or rejected to him. He conversed with the atheist seer and then countered his arguments with respect and patience. *Śukranīti*, *Mahābhārata*, and the inclusive culture of India did not discriminate or ignore any coming

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<sup>13</sup> . <https://www.jagranjosh.com/general-knowledge/list-of-all-the-political-parties-in-india-1476786411-1>

people or society. Mahābhārata gave a massive list of migrated communities, and *Śukranīti* also welcomed these people. The current parties should learn the spirit of inclusion from ancient texts.

### **Principle Oriented Society and Nation**

The study of *Śukranīti* revealed one fact that is more interesting. It did not construct a massive list of rules and regulations. It moderated human life by the principles. The rules did not generate the high human values, duties towards the society and nation, the daily life of a common man, his faith in system and government but it was created in the heart of the citizen. The ancient kings, seers and political thinkers were able to mobilize the mass for practice the desired constitutions and rules because of their strategical principle-based polity and society. We have one constitution and equal law books for the rest of the nation, but the nation still seems unaware of the duties. If the red lights and traffic police get remove for a moment at any busy street, the accidents will start rapidly. It has the possibility in our nation because the system is based on the rulebook and the people break it whenever they find some space to do this. This mentality created because the government and constitution did not pay attention to generate a common principle-based understanding about human beings.

If the nation wishes to stay in the current form of government, it is mandatory to produce the principle-based new generation, and that can understand the circumstances. Rules only break the human desires or the human breaks the rules whenever he gets the space. However, when a society makes the base of its progress to the principles, that society exists for a long time. That state conducts the excellent development and archives the goals.

The current India scenario is very different, the suppressors and the suppressed both are shouting about their harassment, but nobody tells about the oppressor or the cause of the assault. It is happening due to the lack of principle-based ideals.

The political ideas of Buddha tried to fix the base of polity on the principles.<sup>14</sup> He did not support any punishment or attack on the neighbor country. He suggested very positive and non-violent remedies to erase the misconducts from the state and society.

If a state is suffering from robbers, thieves, if the villages are being looted by the village-head, if the officers are collecting the revenue much higher than it determined, these corrupt practices and fear cannot be ended with any force or the rule of law. These actions only work for a fixed period or condition. However, if the king will attack the cause of these misleading, he can establish peace in the society and nation.

Prof. R.S. Sharma believes that not everything from the past can be adopted or followed blindly because some bitter realities and practices in ancient India were very unjust.<sup>15</sup> The discrimination with untouchable communities, mass discrimination with women, the unequal social system, and all its discriminatory legal system, was the result of that mentality. So, we should be cautious during the selection of useful principles. It is true that if the social fixed theory would be put aside, the rest of the philosophical, political, spiritual, cultural, and many other aspects opens their door for everyone. It is the positive aspect of Indian culture but overcoming from the caste, color, community-based barriers are not much easy as it seems. We are still suffering from the caste problem after the seven decades of independence. The women are still fighting for their rights and dignity. Child marriage is still being practiced in some parts of the nation.

There are such kinds of many theories and guiding principles, which can show the path of success and accountability to the Contemporary Indian Polity. We have everything in the form of natural and raw material, but we are still looking for some guiding foundation. The *Śukranīti* can provide the practical political principle-based guiding tools for maintaining

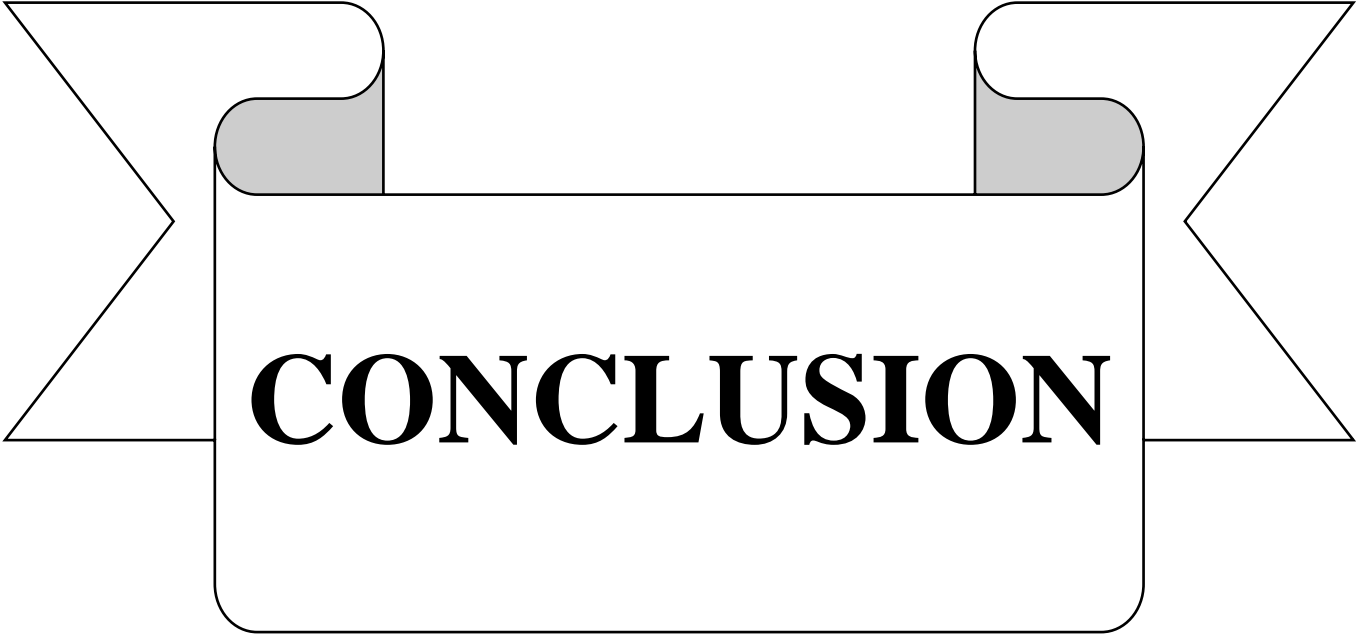
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<sup>14</sup> . Chapter 1, Section 4.4.2.

<sup>15</sup> . Sharma, R.S., "India's Ancient Past," pp. 4-5



the dignity, transparency, accountability, and faith of people on the democratic values in the future.



**CONCLUSION**

## Conclusion

The study of the political principles of *Śukranīti* finds some concrete conceptions. The pieces of evidence of the *Śukrācārya* are available in Vedic literature, and it has been continuously quoting by many texts and scholars, respectively. This dimension opened the scope of political study from Vedic tradition till the last revised edition of available *Śukranīti*. The chapter-wise findings are as follow:

**First Chapter** describes the basics of political principles and the conception of the polity. The observation on the early Vedic polity revealed the creation of political institutions. It also came as finding that the initial phase of civilizations followed the collective effort to deal with their internal and external matters. This habit created the first sign of the republic, or we can say democracy. Vedic people created two councils for all issues and conflicts. These two councils were powerful because all the member of clans were actively participating in these councils. The female members also had the place for these councils. Kingship occurred very later from the Vedic councils. The first king was the most energetic person of the clan, and both councils appointed him for the protection of cows and crops from the enemies and wild animals. It was the starting period, and the king was the servant of the clan. All members were protecting him by providing him the one-sixth part of their earning. The historical observation and rational critique also accept this historical fact regarding the origin of kingship.

This kingship got more strength in the era of *Brāhmaṇa* literature. Now the almost governmental affairs transferred to the king from the councils. These councils slowly diverted as the assistance of the king. When the kingship got much attention and *Brāhmaṇa* community accepted it as their protector, leader, they glorified this post and created four origin theories of kingship. Thus, the post of King got the divine base from the time of *Brāhmaṇa* literature. One theory pulled the attention of scholars, which described that the Aryans were unaware of the kingship. They are rapidly facing the debacle from the Non-Aryan demon clans. When they focused on the cause of their defeating, they found that they had not any war leader, but the demons are fighting under the leadership of a fighter. So, the Aryans and Gods also chose their king, and it was the Indra. This fable established that Demons were already aware of the kingship and they had the king and system of kingship when the Aryans had no idea about such conceptions. The study of Vedic polity shows

that the polity, social norms, religious faiths, and overall the evolution of the culture taken place with step by step and not any miracle occurred for making the whole society at sudden. It was a colossal process, which passed through blood, fight, struggles, and many other sacrifices.

The era of *Rāmāyaṇa* got the space in this debate because it was the first Sanskrit Epic and was based on the political dispute. This text is the story of *Rāma*. *Vālmīki* presented this character as an ideal son, prince, brother, husband, and the king. The political debate occurred in this text as an additional element. However, its values and principles pulled the attention — the concept of *Rāmarājya* first time described in this text. *Vālmīki* presented the ideals of Hindu state. He derived the parameters of an ideal state. These parameters became the base of later political theories and debates. This text seems very much influenced by the *Manusmṛiti*. The seer presented the *varṇa* order as the supreme and divine social order, and he strictly followed this order.

*Mahābhārata* was the result of the multi-revised edition of an ancient text called *Jaya* then *Bhārata* and finally the *Mahābhārata*, which got final touch by the great seer *Vyāsa*. This text first time presented the good and bad sides of the coin of the polity. It gave the various conceptions and theories related to polity. It accepted the *Ṛgvedic* theory of the origin of *varṇa* order from different parts of *Paramapuruṣa* but also told that there was no any clan, group or *varṇa* at the early time. Formation of all four *varṇa* taken place, respectively. Its political theories included the *Śūdra* also in the central ministerial. The remedies of protection of the state and the conception of *Rājadharmā* are the two unique contributions of this text. This text presented political diplomacy for control over the state. The family fight got the most massive attention due to its great and historical ideas. This epic is the second epic by chronological order, but it is the most significant text of Sanskrit literature by its shape, structure and also by the vast social, political, religious, and diplomatic and another point of views.

Buddhist revolution diverted the parameters of polity and the Non-violent approach towards the humanity of Lord Buddha reflected in his Political Ideas. He invented the causes of conflicts, and his all-political ideology was based on the practical and rational ground. Buddha took the stand against the complicated political theories and stopped the kings from fighting with each other, first time in Indian history. He gave the logical ground to the creation of *varṇa* order but rejected the divine superiority of the *Brāhmaṇa* community. Buddha gave the seven sacred formulas for the

protection of the *Vajji* republic, and these are very relevant in the contemporary Indian polity. His conceptions and understandings made many followers from *Brāhmaṇa* community.

**The second Chapter** compositely presented three separate branches of political disciplines. *Dharmaśāstra* had the most prominent textual tradition. This discipline took the polity as an additional element for social behavior. Nevertheless, the *Manusmṛti* separately discussed on the *Rājadharmā*. This tradition seems very strict on *Varṇa* order. *Manu* accepted *Kṣatriya* only as of the king, and he boycotted the *Śūdra* king. His philosophy of *Daṇḍa* and its style of implementation got the attention of scholars. *Arthaśāstra* of *Cāṇakya* was a significant contribution to the Sanskrit political tradition. This text first time got discovered by *R. Samashastri*. It was the first legislative text, or we can say it the first constitution of the monarchical system of government. It revealed an innumerable number of political theories and ideologies. This text is the first and last available evidence of the tradition of *Arthaśāstra*. The daily routine of the king, the functioning of the state, remedies for the protection of state and the main feature of this text was the wealth of the state, collecting the tax, preservation of the treasure got much attention from the scholars.

Third and last discipline called the *Nītiśāstra*. Study of *Nītiśāstra* revealed many wonderful and amazing facts. It has an enormous textual tradition, and only this discipline of Sanskrit literature crossed the lingual boundary. Many authors and scholars from different religion and disciplines contributed to this tradition. This tradition took the shape of text after the *Dharmaśāstra* and *Arthaśāstra*, but the tradition has continuously been floating since the Vedic period. The final reflection of this tradition is the *Śukranīti*. This text became the representative text of this literature. *Kauṭilya* praised two scholars in his work, first was the *Uśanā* and second was the *Bṛhaspati*. *Mahābhārata* quoted the verses of this text and remembered the name of *Uśanā* at several places. It was the *Mahābhārata*, which gave the divine shape of the origin of this tradition.

**The third Chapter** purely deals with the only political discussion concentrated on *Śukranīti*. This text had declared as the text, written for demons by their trendsetter called the *Śukrācārya*. However, the availability of name of this political thinker in many mainstream traditions raised the question mark on this conception. Was the *Śukrācārya*, the trendsetter of demons, or this conception, was created by the other scholars to avoid his precious contribution in the political tradition of Sanskrit literature? This point of view found that it was just an artificially conception

by later Sanskrit literature and scholars only to ignore the revolutionary provision of this great sage. It is the first known text of Sanskrit literature, which neglected the supremacy of *Brāhmaṇa* in theoretical form.

*Śukranīti* accepted the kingship of any and every capable person from any caste or group. However, he appointed these two upper castes in various posts and received the *varṇa* order for smooth conducting the social rules. However, this text gave many relaxations to the lowest communities. The conception of 64 Arts after the *Bharatamuni*, this text provided a unique list of occupations and declared these occupations as an Art. The political theory, social theory, and judicial principles of this text started the new and inclusive debate on the polity. This text spread the canvas of polity and made it the supreme knowledge. This text advised the king to ban the death penalty at any cost. Theories of *Śukranīti* presented an ideal foundation for the modern Indian polity.

This text opposed the way of privatization. A state should never take the fund or help from any businessperson or the rich person. The ruler should protect and feed the nation from the governmental treasury. It is a very relevant idea. Modern Political system provides the share in public welfare to the businessperson and involves the Private sector in the nation-building process. The Public-Private-Partnership is the famous formula of modern Indian polity but the *Śukranīti* prohibited from this practice to the ruler. The author gives the example of crop watering and says that, as the rainwater is the best nutrition for the crops and it provides comprehensive benefit for growing the plants; same as the state wealth is the best way to feed the nation, and only this wealth can develop the nation by its own. It is the most excellent political philosophy of self-management and self-progress.

*Śukranīti* has a no different stand for *Śūdra* and women, but this text did not create any strict theory. When it described the servant, we saw its tremendous and favorable provisions for servants and slaves. The holidays, work hours, time of duty, salary, promotion, pension, and many other aspects got a place in this text. The civil moderation and rules for ordinary people pulled attention due to their majority. *Śukranīti* emphasized on the purity, truthfulness, loyalty, accountability of an ordinary citizen and suggested him many useful tasks. *Śukranīti* believes that the common citizen has the base of the state and his overall conduct very much influences the nation.’

The governmental structure of *Śukranīti* is much better than all other texts. Its political conceptions have not any confusion or multi-dimensional approach. All the rules and theories summarized in straightforward Sanskrit, and it is easily accessible by other lingual people. Thus, *Śukranīti* presented itself as the best synonym of Ancient India's polity.

**The fourth Chapter** Presented the conceptions about contemporary Indian Polity. Four spheres of Contemporary Indian Polity briefly discussed in this chapter. The historical background separated the modern Indian Polity from its ancient tradition. British East India Company handed over the power of authority to the Queen of England, and the House of Commons got the authority to moderate the rule over the British Indian Colonial. The new ideas of governance, style of administration, and war weapons grabbed the entire Indian subcontinent very soon. British rulers did many Acts for their interest, and these acts played a significant role to cut the connection of monarchy from new India. The Constituent Assembly constructed the Constitution of India, and it became the sovereign Union of States. We are now living under the ruling of the world's largest constitution. We have a very systematic legislature, executive, and the judiciary. However, there are many serious problems, which arose during the study of challenges on practical ground.

**Fifth and Last Chapter** executes the political principles of *Śukranīti* in Contemporary Indian Polity. The study finds that the structure of government, caste, and *varṇa* based theories have no room for the execution of the ground of contemporary Indian polity. The structure of Contemporary Administration is much advance and systematic than the past. Overall, the principles, intentions of the commonwealth, the training and aptitudes of the rulers have an unbelievable possibility. The theory of welfare state, the eligibility criteria of ministers and other members of the government, the level of accountability, honesty, the faith in the system and the divine status of the ruler for being the bias less in any matter related to family, community or society. The "right-oriented" and "rule-oriented" system of the polity should be based on the duty and principles. Only the awareness of ordinary citizens, their education and understanding level decides the age and durability of any governing system. As the Mahābhārata and Buddhist polities suggested, "Unity of the Republic" is the first and final secret of success. There will not any system of government survives if the Republics don't have the unity on citizen level. Such kinds of many principles found after the extensive study of political principles from Vedas to the *Śukranīti* and finally the Contemporary Indian Polity.



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